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# THE STUDENT'S GIBBON

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## A HISTORY OF THE DECLINE AND FALL OF THE ROMAN EMPIRE

ABRIDGED FROM THE ORIGINAL WORK BY SIR WILLIAM SMITH, D.C.L., LL.D.

A NEW AND REVISED EDITION, IN TWO PARTS

PART I.

FROM A.D. 98 TO THE DEATH OF JUSTINIAN

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# PREFACE.

ONE of the original aims of the Student's Gibbon, as stated by its compiler and former editor, the late Sir William Smith, was to suit the convenience of "the general reader, whose time or circumstances prevent him from studying so large a work as Gibbon's, but who wishes to make himself acquainted with some of the most memorable events in the history of man." This aim has not been forgotten in the present volume; the text presented is very nearly that of the edition of 1876: the changes which have been introduced are mainly in the direction of a restoration to the original form in which it was selected from Gibbon's history: and the general reader can still enjoy the very words of much of the historian's narrative and reflexions without being oppressed by the bulk of his complete work. But it has been felt that the student required something more, and this has been supplied by the notes and appendices. The notes have been employed, in a few cases to correct, but in the majority merely to supplement the statements of the text. The appendices contain information which I held to be necessary to a full comprehension of the subjects or periods discussed in the chapters to which they have been added, but which was of too detailed a character to be conveniently included in the notes. As a history of the compass of the Student's Gibbon may serve the useful purposes of an introduction to a more advanced study of the subject and of a work of reference to larger

treatises, it has been thought advisable to add to each chapter a brief bibliography of the chief modern works bearing on the events of which it treats.

The employment of notes and appendices has enabled me to avoid tampering to any great extent with Gibbon's text. The chief exceptions relate to legal history and to chronology. With regard to the first, none of Gibbon's characteristic views have been altered; but, besides certain insertions which I have allowed to remain in the chapter on Justinian's legislation, a word or phrase has here and there been added in various portions of the work to bring the information conveyed by the historian up to the level of the greater technical accuracy which has been attained in modern times. With regard to the second, where Gibbon has admittedly inverted the true order of events, their proper sequence has been restored. Where it was possible, this restoration has been effected in the text; where the chronological facts were uncertain, they have been discussed in a note.

A peculiar difficulty attending the publication of a historical work meant to serve the purposes of the Student's Gibbon is presented by the spelling of names that are neither Roman nor Hellenic. While the modern tendency is to reproduce Germanic names in what is supposed to be their original Teutonic form, Gibbon's procedure was, as a rule, to reproduce the derived form, whether Græcised or Latinised. I have not felt myself justified in departing from his practice, and have, therefore, not ventured to make such substitutions as those of Chlojo for Clodion, Chlodwig for Clovis, Athaulf for Adolphus; but I have adopted the compromise of adding in brackets after the derived name, where it first occurs, its supposed original form.

The four maps, which have been specially prepared for this edition, exhibit the Roman Empire at different stages of its growth or decline. The only one which calls for notice in a preface is that which represents the divisions of

the empire after the time of Diocletian. The careful reader of the Student's Gibbon will hardly need the warning that such a map can only be typical. I have here presented what, on the whole, was the most permanent arrangement; but the shifting of præfectures and provinces prevents any map of the kind from representing with perfect accuracy the administrative subdivisions of the Empire for any great length of time.

The chief points kept in view in the insertion or renewal of illustrations have been their bearing on the text, their instructiveness, and their genuineness: and care has been taken, in this as in former editions, to make them strictly subservient to the narrative, and not to introduce them as mere ornaments to the text. The obligation expressed in former editions to the officials of the British Museum must here be repeated, and I gratefully add my acknowledgment of the services of Canon C. Evans, who has kindly revised the whole of the proofs.

A. H. J. G.

*Oxford, November*, 1898.

The Genius of the Roman People, from a Coin of Antoninus Pius, in the British Museum.

Column of the Emperor Marcian at Constantinople.

Coin of Anastasius I.

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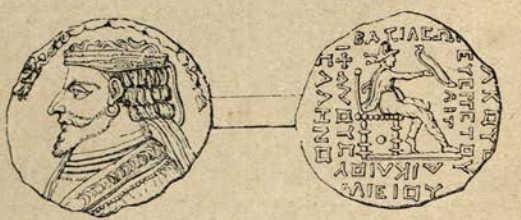

Coin of the Parthian Arsacidæ.

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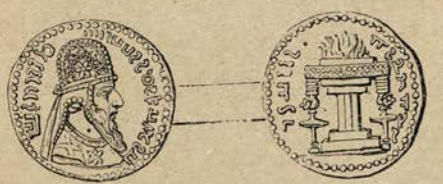
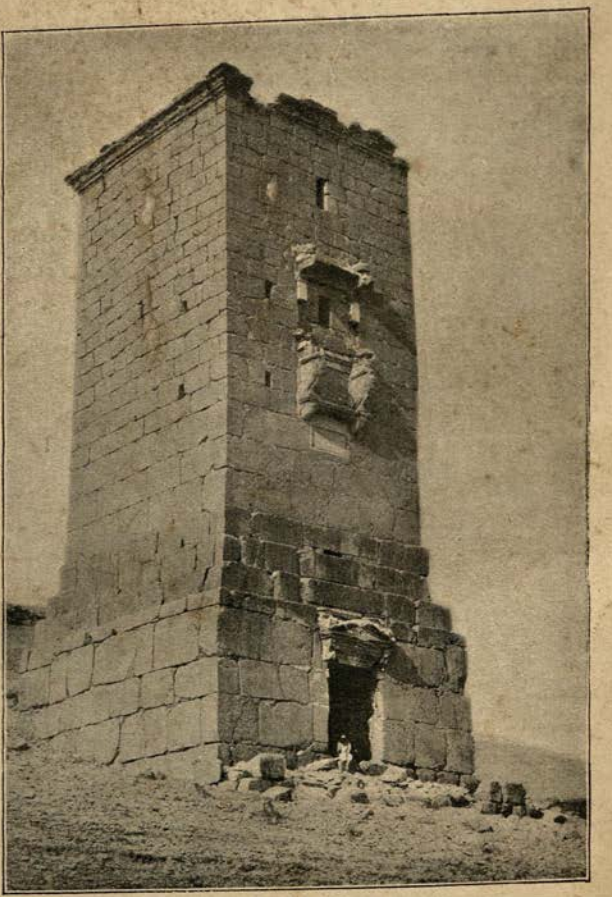


Coin of Artaxerxes, the founder of the Persian dynasty of the Sasanidæ.



Royal Tomb at Palmyra.

London, John Murray, Albemarle Street.

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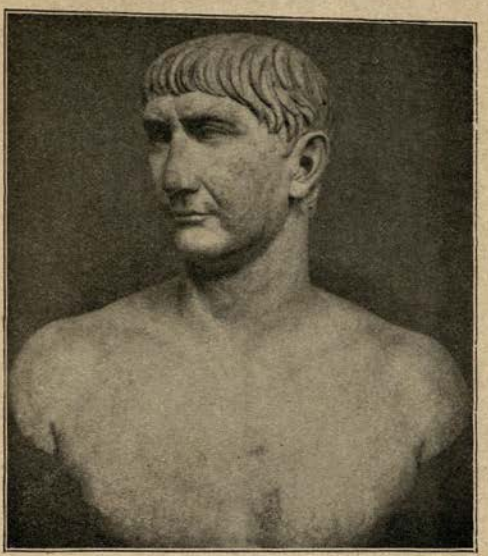


Trajan (from the bust in the British Museum).

## CHAPTER I.

### THE EXTENT, PROSPERITY, AND CONSTITUTION OF THE EMPIRE IN THE AGE OF THE ANTONINES.

§ 1. Introduction. § 2. Moderation of Augustus. § 3. Imitated by his successors. § 4. Conquest of Britain was the first exception to it. § 5. Conquest of Dacia, the second exception, A.D. 101–106. § 6. Conquests of Trajan in the East, A.D. 114–117; resigned by his successor Hadrian, A.D. 117. § 7. Pacific system of Hadrian and the two Antonines. § 8. Number and disposition of the Legions. § 9. View of the provinces of the Roman Empire: Italy. § 10. Western division of the European provinces: Spain, Gaul, Britain. § 11. Eastern division of the European provinces: Rhætia, Noricum and Pannonia, Mœsia and Dacia, Thrace, Macedonia, and Achaia. § 12. Asiatic provinces: Asia Minor, Syria, Phœnicia, and Palestine. § 13. Egypt. § 14. Africa. § 15. The Mediterranean, with its islands. § 16. General idea of the Roman Empire. § 17. Italy and the provinces. § 18. Colonies and municipal towns. § 19. Division of the Latin and Greek provinces. § 20. General use of both languages. § 21. Populousness of the Roman Empire. § 22. Obedience and union. § 23. System of the Imperial government: image of civil liberty for the people, and

image of civil government for the armies. § 24. Augustus takes the title of *Princeps*, but receives the command of the army and the government of the provinces under the guise of the *Proconsulare Imperium*; division of the provinces between the Emperor and the Senate. § 25. Augustus preserves his military command and guards in Rome itself. § 26. He receives the *Tribunitian* power: is made *Pontifex Maximus*, and exercises censorial functions. § 27. Imperial prerogatives. § 28. The Magistrates. § 29. The Senate. § 30. Court of the Emperors. § 31. Deification of the Emperors. § 32. Titles of Augustus and Cæsar. § 33. Designation of a successor: of Tiberius, Titus, Trajan, Hadrian, and the Antonines. § 34. The two Antonines: happiness of the Romans.

Introduction.

§ 1. IN the second century of the Christian æra, the empire of Rome comprehended the fairest part of the earth, and the most civilized portion of mankind. During a happy period of more than fourscore years the public administration was conducted by

Portion of Column of Trajan.

the virtue and abilities of Nerva, Trajan, Hadrian, and the two Antonines. It is the design of this chapter to describe the prosperous condition of their empire; and afterwards, from the death of Marcus Aurelius, to deduce the most important circumstances of its decline and fall: a revolution which will ever be remembered, and is still felt by the nations of the earth.

§ 2. The principal conquests of the Romans were achieved under the republic; but it was reserved for Augustus to relinquish the ambitious design of subduing the whole earth, and to introduce a spirit of moderation into the public councils. On the death of that emperor, his testament was publicly read in the senate. He bequeathed, as a valuable legacy to his successors, the advice of confining the empire within those limits which nature seemed to have placed as its permanent bulwarks and boundaries: on the west the Atlantic Ocean; the Rhine and Danube on the north; the Euphrates on the east; and towards the south the sandy deserts of Arabia and Africa.

Moderation of Augustus.

§ 3. Happily for the repose of mankind, the moderate system recommended by the wisdom of Augustus was adopted by the fears and vices of his immediate successors; and the (§ 4) only accession which the Roman empire received during the first century of the Christian æra was the province of Britain. After a war of about forty years, undertaken by the most stupid, maintained by the most dissolute, and terminated by the most timid of all the emperors,* the far greater part of the island submitted to the Roman yoke.

Imitated by his successors.

Conquest of Britain was the first exception to it.

§ 5. The accession of Trajan interrupted the peaceful system of his predecessors. That virtuous and active prince had received the education of a soldier, and possessed the talents of a general. His first exploits were against the Dacians, who dwelt beyond the Danube, and who, during the reign of Domitian, had insulted, with impunity, the majesty of Rome. Decebalus, the Dacian king, approved himself a rival not unworthy of Trajan; but this memorable war was terminated, after lasting five years, by an absolute submission of the barbarians. The new province of Dacia, which formed a second exception to the precept of Augustus, was bounded by the Dniester, the Theiss or Tibiscus, the Lower Danube, and the Euxine Sea.†

Conquest of Dacia, the second exception, A.D. 101–106.

Column of Trajan.

* Claudius, Nero, and Domitian.

† The column of Trajan, which is figured on this page, still stands at Rome, and is the finest monument of the kind in the world. The height of the column, including the pedestal, is 127½ English feet. Round the column runs a spiral band of admirable reliefs,

Conquests of Trajan in the East, A.D. 114–117; resigned by his successor Hadrian, A.D. 117.

§ 6. Trajan next turned his arms against the nations of the East. The degenerate Parthians, broken by intestine discord, fled before him. He descended the river Tigris in triumph, from the mountains of Armenia to the Persian Gulf. Every day the astonished senate received the intelligence of new names and new nations that acknowledged his sway. They were informed that the kings of Bosporus, Colchis, Iberia, Albania, Osroëne, and even the Parthian monarch himself, had accepted their diadems from the hands of the emperor; that the independent tribes of the Median and Carduchian hills had implored his protection; and that the rich countries of Armenia, Mesopotamia, and Assyria were reduced into the state of provinces. But the death of Trajan soon clouded the splendid prospect, and his successor Hadrian wisely resolved to surrender these eastern conquests. He restored to the Parthians the election of an independent sovereign; withdrew the Roman garrisons from the provinces of Armenia, Mesopotamia, and Assyria; and, in compliance with the precept of Augustus, once more established the Euphrates as the frontier of the empire.*

Pacific system of Hadrian and the two Antonines.

§ 7. The general system of Augustus was uniformly pursued by Hadrian and by the two Antonines. They persisted in the design of maintaining the dignity of the empire, without attempting to enlarge its limits. The reigns of Hadrian and Antoninus Pius were scarcely disturbed by any hostilities, and offer the fair prospect of universal peace; but Marcus Aurelius had to defend the frontiers of the empire against the Parthians and the Germans, over whom he and his generals obtained many signal victories, both on the Euphrates and on the Danube.

Number and disposition of the Legions.

§ 8. These emperors still maintained the valour and discipline of the Roman legions, at a time when every other virtue was oppressed by luxury and despotism. The legion, which was itself a body of 6831 Romans,† might, with its attendant auxiliaries, amount to about 12,500 men. The peace establishment of Hadrian and his successors was composed of no less than 30 of these formidable brigades; and most probably formed a standing force of 375,000 men. Instead of being confined within the walls of fortified cities, the legions were encamped on the banks of the great rivers, and along the frontiers of the barbarians. As their stations, for the most part, remained fixed and permanent, we may venture to describe the distribution of the troops. Three legions were sufficient for Britain. The principal strength lay

representing the wars of Trajan against Decebalus, and containing no fewer than 2500 human figures.

* Dacia, too, would have been abandoned by Hadrian, and the Danube would again have been made the frontier of the empire, had not the safety of the Romans settled in the province necessitated its retention (Eutropius, viii. 6).

† It was divided into 6105 infantry and 726 cavalry. This *nominal* number for the legion, as described by Vegetius (ii. 6), was probably attained in the reign of Aurelian. Both in the earlier and later Principate the actual strength may have been between 5000 and 6000 men.

upon the Rhine and Danube, and consisted of sixteen legions, in the following proportions: two in the Lower and two or three in the Upper Germany; one in Rhætia, one in Noricum, four in Pannonia, five in Mœsia, and one in Dacia. The defence of the Euphrates was intrusted to eight legions, six of whom were planted in Syria, and the other two in Cappadocia. With regard to Egypt, Africa, and Spain, as they were far removed from any important scene of war, a single legion maintained the domestic tranquillity of each of those great provinces.* Even Italy was not left destitute of a military force. Above 20,000 chosen soldiers, distinguished by the titles of City Cohorts and Prætorian Guards,† watched over the safety of the monarch and the capital. As the authors of almost every revolution that distracted the empire, the Prætorians will, very soon, demand our attention: but in their arms and institutions we cannot find any circumstance which discriminated them from the legions, unless it were a more splendid appearance, and a less rigid discipline.

View of the provinces of the Roman Empire: Italy.

§ 9. The dominions of the Roman emperors consisted of Italy and the provinces, and comprised various countries once united under their sway, but at present divided into many independent states. Before the Roman conquest the country which is now called Lombardy was not considered as a part of Italy. It had been occupied by a powerful colony of Gauls, who carried their arms and diffused their name from the Alps to the Apennines. The Ligurians dwelt on the rocky coast which once formed the republic of Genoa. The middle part of the peninsula was the ancient seat of the Etruscans and Umbrians. The Tiber rolled at the foot of the seven hills of Rome, and the country of the Sabines, the Latins, and the Volsci, from that river to the frontiers of Naples, was the theatre of her infant victories. Capua and Campania possessed the immediate territory of Naples; the rest of the kingdom was inhabited by many warlike nations, the Marsi, the Samnites, the Apulians, and the Lucanians; and the sea-coasts had been covered by the flourishing colonies of the Greeks.

Western division of the European provinces: Spain, Gaul, Britain.

§ 10. Spain, the western extremity of the empire, of Europe, and of the ancient world, has, in every age, invariably preserved the same natural limits; the Pyrenæan mountains, the Mediterranean, and the Atlantic Ocean. That great peninsula, at present so unequally divided between two sovereigns, was distributed by Augustus into three provinces, Lusitania, Bætica, and Tarraconensis. The kingdom of Portugal now fills the place of the warlike country of the Lusitanians. The confines of Granada

* See Appendix, note 1, on "The Quarters of the Legions."

† The city cohorts (*cohortes urbanæ*) were established by Augustus *in custodiam urbis* (Suetonius, *Augustus*, 49), and were placed under the authority of the præfect of the city. Three of these divisions existed at Rome in the reign of Tiberius (Tacitus, *Annals*, iv. 5). For the prætorian cohorts, with whom these urban troops were closely connected in rank and military arrangement, see ch. ii. § 7.

and Andalusia correspond with those of ancient Bætica. The remainder of Spain contributed to form the third and most considerable of the Roman governments, which, from the name of its capital, was styled the province of Tarragona.

Ancient Gaul, as it contained the whole country between the Pyrenees, the Alps, the Rhine, and the ocean, was of greater extent than modern France. The sea-coast of the Mediterranean, Languedoc, Provence, and Dauphiné, received their provincial appellation from the colony of Narbonne. The government of Aquitaine was extended from the Pyrenees to the Loire. The country between the Loire and the Seine was styled the Celtic Gaul, and soon borrowed a new denomination from the celebrated colony of Lugdunum, or Lyons. The Belgic lay beyond the Seine, and in more ancient times had been bounded only by the Rhine; but a little before the age of Cæsar, the Germans, abusing their superiority of valour, had occupied a considerable portion of the Belgic territory. The Roman conquerors very eagerly embraced so flattering a circumstance, and the Gallic frontier of the Rhine from Basel to Leyden received the pompous names of the Upper and the Lower Germany. Such, under the reign of the Antonines, were the six provinces of Gaul; the Narbonnese, Aquitaine, the Celtic or Lyonnese, the Belgic, and the two Germanies.*

Britain comprehended all England, Wales, and the Lowlands of Scotland as far as the friths of Dumbarton and Edinburgh. Between these friths Agricola erected a line of forts, and a general of Antoninus Pius constructed a rampart of turf, usually called the wall of Antoninus Pius; but the more usual boundary of the Roman dominions in Britain was the stone wall built by Hadrian and extending from the Solway to the mouth of the Tyne. The space between this wall and that of Antoninus was held by a precarious tenure, and was frequently in the possession of the unconquered Caledonians. Spain, Gaul, and Britain constituted the western division of the European provinces.

Eastern division of the European provinces: Rhætia, Noricum and Pannonia, Mœsia and Dacia, Thrace, Macedonia, and Achaia.

§ 11. The provinces of the Danube, which formed the eastern division of the European provinces, soon acquired the general appellation of Illyricum, or the Illyrian frontier, and were esteemed the most warlike of the empire; but they deserve to

* The two so-called provinces of Germany were strips of land on the west bank of the Rhine, the river itself forming their eastern limit, until the boundary on the Upper Rhine was slightly extended by Hadrian (see Appendix to ch. vi.). The capital of *Germania Superior* was Mainz, of *Germania Inferior*, Cologne. It is very doubtful in what sense they belonged to the province of Gaul. Until the time of Hadrian they were administered by the military commanders of the legions stationed there (*legati exercitus superioris* or *inferioris Germaniæ*); but whether these stood in any degree of dependence to the civil governor (*legatus pro prætore*) of the neighbouring Gallic province of Belgica is doubtful. In the third century A.D. they are known to have been independent provinces (see Marquardt, *Staatsverwaltung*, i. p. 271, with the authorities cited there).

be more particularly considered under the names of Rhætia, Noricum, Pannonia, Dalmatia, Dacia, Mœsia, and Thrace.*

The province of Rhætia extended from the summit of the Alps to the banks of the Danube, from its source as far as its conflux with the Inn.

The wide extent of territory which is included between the Inn, the Danube, and the Save—Austria, Styria, Carinthia, Carniola, the Lower Hungary, and Slavonia—was known to the ancients under the names of Noricum and Pannonia.

Dalmatia, to which the name of Illyricum more properly belonged, was a long but narrow tract between the Save and the Adriatic.

The Danube formerly divided Mœsia and Dacia, the latter of which, as we have already seen, was a conquest of Trajan, and the only province beyond the river.

The appellation of Roumelia, which is still bestowed by the Turks on the extensive countries of Thrace, Macedonia, and Greece, preserves the memory of their ancient state under the Roman empire. In the time of the Antonines the martial regions of Thrace, from the mountains of Hæmus and Rhodope to the Bosporus and the Hellespont, had assumed the form of a province.† The kingdom of Macedonia, which, under the reign of Alexander, gave laws to Asia, had long been a province of the Roman empire. Greece, from the superior influence of the Achæan league at the time of its conquest, was usually denominated the province of Achaia.‡

§ 12. Such was the state of Europe under the Roman emperors. The provinces of Asia are all comprehended within the limits of the Turkish power. In Asia Minor the most extensive and flourishing district westward of mount Taurus and the river Halys was dignified by the Romans with the exclusive title of Asia. The jurisdiction of that province extended over the ancient monarchies of Troy, Lydia, and Phrygia, the maritime countries of the Pamphylians, Lycians, and Carians, and the Grecian colonies of Ionia, which equalled in arts, though not in arms, the glory of their parent. The kingdoms of Bithynia and Pontus possessed the northern side of the peninsula from

Asiatic provinces: Asia Minor, Syria, Phœnicia, and Palestine.

* Appian (*Illyrica*, c. 1) describes Illyricum as the country extending from the Chaonians and Thesprotians to the Danube. Its western boundary would be the Alps, its eastern the mouth of the Danube. It would, therefore, properly include the provinces of Dalmatia, Pannonia, and Mœsia; but Appian (*Illyrica*, c. 6) reckons in Rhætia and Noricum as well. The province of Dacia beyond the Danube is sometimes made one of the Illyrian provinces (*Vita Claudii*, c. 15), but the name never spread southward to include Macedonia and Achaia.

† Thrace had been made a province by the emperor Claudius I. in A.D. 46.

‡ Macedonia and Achaia were reduced to the condition of a single province in 146 B.C. They were separated into two provinces, certainly, as early as 46 B.C. (Cicero, *Ad Familiares*, iv. 4, 2), and this separation continued under the empire.

Constantinople to Trebizond. On the opposite side the province of Cilicia was terminated by the mountains of Syria: the inland country, separated from the Roman Asia by the river Halys, and from Armenia by the Euphrates, had once formed the independent kingdom of Cappadocia.

Syria formed the eastern frontier of the empire: nor did that province, in its utmost latitude, know any other bounds than the mountains of Cappadocia to the north, and, towards the south, the confines of Egypt and the Red Sea. Phœnicia and Palestine were sometimes annexed to, and sometimes separated from, the jurisdiction of Syria.*

Egypt. § 13. The geographers of antiquity have frequently hesitated to what portion of the globe they should ascribe Egypt. By its situation that celebrated kingdom is included within the immense peninsula of Africa; but it is accessible only on the side of Asia, whose revolutions, in almost every period of history, Egypt has humbly obeyed. A Roman præfect was seated on the splendid throne of the Ptolemies. The Nile flows down the country above 500 miles, from the tropic of Cancer to the Mediterranean, and marks on either side the extent of fertility by the measure of its inundations. Cyrene, situate towards the west and along the sea-coast, was first a Greek colony, afterwards a province of Egypt, and is now lost in the desert of Barca.

Africa. § 14. From Cyrene to the ocean the coast of Africa extends above 1500 miles; yet so closely is it pressed between the Mediterranean and the Sahara, or Sandy desert, that its breadth seldom exceeds fourscore or an hundred miles. The eastern division, which was the seat of the Carthaginian empire, was considered by the Romans as the more peculiar and proper province of Africa. To the west was the province of Numidia, once the kingdom of Masinissa and Jugurtha; but in the time of Augustus its limits were contracted,† and at least two-thirds of the country acquiesced in the name of Mauretania, with the epithet of Cæsariensis. The genuine Mauretania, or country of the Moors, was distinguished by the appellation of Tingitana, from the ancient city of Tingis or Tangier.‡

* Syria-Palestine, at first a dependency of the province of Syria, was in A.D. 70, after the conquest of Jerusalem, made into a separate province. The province of Syria was divided by Septimius Severus (*circa* A.D. 195) into *Syria Cœle* and *Syria Phœnice*. This province of Syrophœnicia went far beyond the limits of the ancient Phœnicia, and included Emesa and Palmyra (see Marquardt, *Staatsverwaltung*, i. p. 419).

† In 25 B.C. the kingdom of Numidia, extending to the river Ampsaga on the west, was definitely attached to the old province of Africa. Caligula created for this frontier district a military commander who had under his control the forces of the whole of Africa, and who finally became, probably under the reign of Septimius Severus (A.D. 193-211), the governor of Numidia, which was now formed into an independent province (see Marquardt, *Staatsverwaltung*, i. p. 465).

‡ These two provinces were created out of the kingdom of Mauretania by Claudius I. They were governed by *procuratores pro legato* (Marquardt, *op. cit.* p. 482).

The Mediterranean, with its islands.

§ 15. Having now finished the circuit of the Roman empire, we may observe that Africa is divided from Spain by a narrow strait of about twelve miles, through which the Atlantic flows into the Mediterranean. The columns of Hercules, so famous among the ancients, were two mountains which seemed to have been torn asunder by some convulsion of the elements; and at the foot of the European mountain the fortress of Gibraltar is now seated. The whole extent of the Mediterranean Sea, its coasts, and its islands, were comprised within the Roman dominion. It included the two Baleares, which derive their names of Majorca and Minorca from their respective size, Corsica, Crete, Cyprus, and the islands of the Ægean.

General idea of the Roman Empire.

§ 16. This long enumeration of provinces, whose broken fragments have formed so many powerful kingdoms, might almost induce us to forgive the vanity or ignorance of the ancients, who confounded the Roman monarchy with the globe of the earth. But we may form a juster image of the greatness of Rome by observing that the empire was above 2000 miles in breadth from the wall of Antoninus and the northern limits of Dacia to Mount Atlas and the tropic of Cancer; that it extended in length more than 3000 miles, from the Western Ocean to the Euphrates; that it was situated in the finest part of the temperate zone, between the 24th and 56th degrees of northern latitude; and that it was supposed to contain above sixteen hundred thousand square miles, for the most part of fertile and well-cultivated land.

Italy and the provinces.

§ 17. It has been already said that the Roman empire consisted of Italy and the provinces; an important distinction was preserved between them till the privileges of Romans were extended to all the inhabitants of the empire. Italy was esteemed the centre of public unity, and the firm basis of the constitution. The estates of the Italians were exempt from taxes, their persons from the arbitrary jurisdiction of governors. Their municipal corporations, formed after the perfect model of the capital, were intrusted, under the immediate eye of the supreme power, with the execution of the laws. From the foot of the Alps to the extremity of Calabria all the natives of Italy were born citizens of Rome. Their partial distinctions were obliterated, and they insensibly coalesced into one great nation, united by language, manners, and civil institutions. The republic gloried in her generous policy, and was frequently rewarded by the merit and services of her adopted sons. Had she always confined the distinction of Romans to the ancient families within the walls of the city, that immortal name would have been deprived of some of its noblest ornaments. Virgil was a native of Mantua; Horace was inclined to doubt whether he should call himself an Apulian or a Lucanian: it was in Padua that an historian was found worthy to record the majestic series of Roman victories. The patriot family of the Catos emerged from Tusculum; and the little town of Arpinum claimed the double honour of producing Marius and Cicero.

The provinces of the empire were destitute of any public force or constitutional freedom.* The public authority was everywhere exercised by the ministers of the senate and of the emperors, and that authority was absolute and without control. But the same salutary maxims of government, which had secured the peace and obedience of Italy, were extended to the most distant conquests. A nation of Romans was gradually formed in the provinces, by the double expedient of introducing colonies, and of admitting the most faithful and deserving of the provincials to the freedom of Rome.

Colonies and municipal towns.

§ 18. "Wheresoever the Roman conquers, he inhabits," is a very just observation of Seneca,† confirmed by history and experience. Throughout the empire, but more particularly in the western parts, the most fertile districts, and the most convenient situations, were reserved for the establishment of colonies; some of which were of a civil, and others of a military nature. In their manners and internal policy the colonies formed a perfect representation of their great parent; and as they were soon endeared to the natives by the ties of friendship and alliance, they effectually diffused a reverence for the Roman name. The right of Latium, as it was called, conferred on the cities to which it had been granted a more partial favour. The magistrates only, at the expiration of their office, assumed the quality of Roman citizens;‡ but as those offices were annual, in a few years they circulated round the principal families. Those of the provincials who were permitted to bear arms in the legions; those who exercised any civil employment; all, in a word, who performed any public service or displayed any personal talents, were rewarded with the Roman citizenship. Even in the age of the Antonines, when the freedom of the city had been bestowed on the greater number of their subjects, it was still accompanied with very solid advantages. The bulk of the people acquired, with that title, the benefit of the Roman laws, particularly in the interesting articles of marriage, testaments, and inheritances; and the road of fortune was open to those whose pretensions were seconded by favour or merit.

Division of the Latin and Greek provinces.

§ 19. So sensible were the Romans of the influence of language

* Slight exceptions may be made to this statement in favour of (1) the local *militia* raised in the Imperial provinces, and (2) the free cities. But the *auxilia*, though drawn exclusively from the provincials, soon became denationalised through assimilation with the Roman army, and through transference for service to some other province than that of their birth; while the free cities, even when they maintained their treaties or charters, were often placed under the tutelage of *curatores*, and, though preserving the designation of *liberæ civitates*, yielded all their real privileges to the irresistible power of the central government.

† Seneca, *Consolatio ad Helviam*, c. 7.

‡ In some Latin states citizenship was acquired only by the holding of a magistracy: this right was known as *minus Latium;* in others by membership of the local senate as well as by the holding of a magistracy (Gaius, i. 96): this right was known as *majus Latium*.

over national manners, that it was their most serious care to extend, with the progress of their arms, the use of the Latin tongue. The ancient dialects of Italy, the Sabine, the Etruscan, and the Venetian, sunk into oblivion; but in the provinces, the East was less docile than the West to the voice of its victorious preceptors. This obvious difference marked the two portions of the empire with a distinction of colours, which, though it was in some degree concealed during the meridian splendour of prosperity, became gradually more visible as the shades of night descended upon the Roman world. The western countries were civilized by the same hands which subdued them. The language of Virgil and Cicero was almost universally adopted in Africa, Spain, Gaul, Britain, and Pannonia. Education and study insensibly inspired the natives of those countries with the sentiments of Romans; and Italy gave fashions, as well as laws, to her Latin provincials. The situation of the Greeks was very different from that of the barbarians. The former had been long since civilized and corrupted. They had too much taste to relinquish their language, and too much vanity to adopt any foreign institutions. Nor was the influence of the Grecian language and sentiments confined to the narrow limits of that once celebrated country. Their empire, by the progress of colonies and conquest, had been diffused from the Adriatic to the Euphrates and the Nile. Asia was covered with Greek cities, and the long reign of the Macedonian kings had introduced a silent revolution into Syria and Egypt. Such was the general division of the Roman empire into the Latin and Greek languages.

General use of both languages

§ 20. It is a just though trite observation, that victorious Rome was herself subdued by the arts of Greece. But the elegant amusements of the Romans were not suffered to interfere with their sound maxims of policy. Whilst they acknowledged the charms of the Greek, they asserted the dignity of the Latin tongue, and the exclusive use of the latter was inflexibly maintained in the administration of civil as well as military government.* The two languages exercised at the same time their separate jurisdiction throughout the empire: the former, as the natural idiom of science; the latter, as the legal dialect of public transactions. Those who united letters with business were equally conversant with both; and it was almost impossible,

* In the east official edicts and decrees of the senate were often *published* in Greek. This was inevitable, if they were to be understood, even by the upper classes [instances in Bruns, *Fontes juris Romani*, pp. 167, 218]; and, though the language of the courts was Roman, that of legal transactions was Greek. Recent discoveries in the Fayûm have proved the mistake of supposing that the forms of Roman replaced those of Greek law during the first three centuries of the empire (Mitteis, *Reichsrecht und Volksrecht*), and the language naturally followed the form. In procedure the pleadings were in the native idiom, the *Formula* (which included the statement of the case and the sentence) always in Latin (Bethmann-Hollweg, *Civil-prozess*, ii. p. 156).

in any province, to find a Roman subject, of a liberal education, who was at once a stranger to the Greek and to the Latin language.

Populousness of the Roman Empire.

§ 21. The number of subjects who acknowledged the laws of Rome, of citizens, of provincials, and of slaves, cannot be fixed with accuracy. We are informed that, when the emperor Claudius exercised the office of censor, he took an account of 6,945,000 Roman citizens, who, with the proportion of women and children, must have amounted to about twenty millions of souls. The multitude of subjects of an inferior rank was uncertain and fluctuating. But, after weighing with attention every circumstance which could influence the balance, it seems probable that there existed in the time of Claudius about twice as many provincials as there were citizens, of either sex and of every age; and that the slaves were at least equal in number to the free inhabitants of the Roman world. The total amount of this imperfect calculation would rise to about one hundred and twenty millions of persons.

Obedience and union.

§ 22. Domestic peace and union were the natural consequences of the moderate and comprehensive policy embraced by the Romans. The vanquished nations, blended into one great people, resigned the hope, nay even the wish, of resuming their independence, and scarcely considered their own existence as distinct from the existence of Rome. The established authority of the emperors pervaded without an effort the wide extent of their dominions, and was exercised with the same facility on the banks of the Thames, or of the Nile, as on those of the Tiber. The legions were destined to serve against the public enemy, and the civil magistrate seldom required the aid of a military force.

System of the Imperial government: image of civil liberty for the people, and image of civil government for the armies.

§ 23. The system of the Imperial government, as it was instituted by Augustus and maintained by those princes who understood their own interests and that of the people, may be defined an absolute monarchy disguised by the forms of a commonwealth. Augustus wished to deceive the people by an image of civil liberty, and the armies by an image of civil government. He was sensible that mankind is governed by names; nor was he deceived in his expectation that the senate and people would submit to slavery, provided they were respectfully assured that they still enjoyed their ancient freedom. A feeble senate and enervated people cheerfully acquiesced in the pleasing illusion, as long as it was supported by the virtue, or by even the prudence, of the successors of Augustus. It was a motive of self-preservation, not a principle of liberty, that animated the conspirators against Caligula, Nero, and Domitian. They attacked the person of the tyrant without aiming their blow at the authority of the emperor. The insolence of the armies inspired Augustus with fears of a still more alarming nature. The despair of the citizens could only attempt what the power of the soldiers was, at any time, able to execute. Augustus summoned to his aid

whatever remained in those fierce minds of Roman prejudices; enforced the rigour of discipline by the sanction of law; and, interposing the majesty of the senate between the emperor and the army, boldly claimed their allegiance as the first magistrate of the republic.

Augustus takes the title of *Princeps*, but receives the command of the army and the government of the provinces under the guise of the *Proconsulare Imperium*; division of the provinces between the Emperor and the Senate.

§ 24. Augustus declined the names of King and Dictator, and was content with the modest title of PRINCEPS.* But this title conferred no power; and the crafty tyrant received from the senate the general command of the Roman armies, and the government of the provinces, under the well-known name of IMPERATOR and with the power of a PROCONSUL. Under the republic *Imperator* was no more than *general*, and was emphatically bestowed by the soldiers, when on the field of battle they proclaimed their victorious leader worthy of that title. It was then placed after his name with the number of his victory, and in this, the republican sense, Augustus was imperator twenty-one times.† But the title was borne a second time by Augustus as a prefix to his name, and was so borne by most succeeding emperors.‡ Augustus also possessed the *Imperium Proconsulare*, which placed in his hands the control of all the provinces of the empire.§ But after receiving this extensive power, he resolved to gratify the pride of the senate by an easy sacrifice. He retained the command of the provinces on the frontiers, which required the presence of an army; but he restored to the senate the administration of the more peaceful and secure provinces. Hence arose a distinction which lasted to the latest times, between the *Provinces of the Senate* and the *Provinces of the Cæsar*, as those of the emperor were called. The former were governed by Proconsuls, chosen by lot from among those who had been previously consuls or prætors; the latter were governed by the *Legati*, or lieutenants of the emperor, who were nominated by the emperor himself, and continued in the administration of the provinces as long as he pleased. The emperor however delegated his power to the members of the senate; and his lieutenants were always of consular or prætorian dignity.‖ There was another kind of

* Non regno neque dictatura, sed *principis* nomine constitutam rempublicam (Tacitus, *Annals*, i. 9). Tu (Romule) domini nomen, *principis* ille (Augustus) tenet (Ovid, *Fasti*, ii. 412). It signifies "head" or "chief man" in the state—not exactly (as it is sometimes interpreted) "chief citizen."

† Nomen imperatoris semel atque vicies partum (Tacitus, *Annals*, i. 9).

‡ Prænomen Imperatoris (Suetonius, *Tiberius*, c. 26). It was not borne by Tiberius, Caligula, or Claudius I. (*Corpus Inscriptionum Latinarum*, iii. p. 905).

§ Yet, although the emperor possessed proconsular power, no emperor before Trajan bore the title *proconsul*—probably out of respect to the *proconsules* who governed the senatorial provinces, and who in theory owed obedience only to the great council of the state. As the government under Trajan became more centralised, there was less sense of the necessity of the fiction of a dual control.

‖ Those of either dignity were known as *legati Cæsaris pro prætore*.

Imperial provinces, which on account of the nature of the country, the character of the inhabitants, or other causes, such as the Alpine districts, Judæa and Egypt, could not readily receive the provincial form and be administered according to Roman laws. Accordingly these countries were treated as if they were the private domains of the emperor, and were administered by his stewards, who bore in other provinces the title of *Procuratores*,* but in Egypt that of *Præfectus*. This Præfectus was always a Roman knight, and the Prefecture of Egypt was the only important trust in the provinces which was not committed to a senator. Yet the authority of the senate even in their own provinces was more nominal than real; and it was soon discovered that the authority of the *Prince* (*Princeps*), the favourite epithet of Augustus, was the same in every part of the empire.†

Augustus preserves his military command and guards in Rome itself.

§ 25. In return for this imaginary concession, Augustus obtained an important privilege, which rendered him master of Rome and Italy. By a dangerous exception to the ancient maxims, he was authorised to preserve his military command, supported by a numerous body of guards, even in time of peace, and in the heart of the capital. His command, indeed, was confined to those citizens who were engaged in the service by the military oath; but such was the propensity of the Romans to servitude, that the oath was voluntarily taken by the magistrates, the senators, and the equestrian order, till the homage of flattery was insensibly converted into an annual and solemn protestation of fidelity.

He receives the *Tribunitian* power: is made *Pontifex Maximus*, and exercises censorial functions.

§ 26. Although Augustus considered a military force as the firmest foundation, he wisely rejected it as a very odious instrument, of government. It was more agreeable to his temper, as well as to his policy, to reign under the venerable names of the ancient magistracy, and artfully to collect in his own person all the scattered rays of civil jurisdiction. With this view he permitted the senate to confer upon him, for his life, the power of the tribunitian office which was, in the same manner, continued to all his successors. The emperors never called themselves tribunes, but the *Tribunicia Potestas*, which was conferred upon them, secured to them all the rights and privileges of the ancient tribunes,—the inviolability of their persons, the

When the legate was of consular rank he appended to his title the designation *vir consularis*.

* The full title borne by these officials was *procurator pro legato*, to distinguish them from the finance officers (*procuratores fisci*), who were agents of the Imperial treasury and of the emperor's crown lands (*patrimonia*) in the provinces.

† These Imperial encroachments were due to three main reasons: (i.) the fiscal *procuratores* of Cæsar were found in every province; (ii.) military exigencies made the authority of Cæsar supersede that of the senatorial proconsuls in time of war; (iii.) the gradual centralising of jurisdiction in the emperor's hands led to his becoming a court of appeal for the whole Roman world.

*Intercessio*, or right of putting a veto upon the resolutions of the senate and the people, and the power of convening their meetings.*

Upon the death of Lepidus, Augustus assumed the title of PONTIFEX MAXIMUS, or Supreme Pontiff, which gave him the management of the Roman religion, and this important dignity was borne by all his successors. Although he did not assume the title of Censor, yet he possessed the chief powers of the office, and exercised an inspection over the manners and fortunes of the Roman people.

Imperial prerogative

§ 27. If so many distinct and independent powers did not exactly unite with each other, the complaisance of the senate was prepared to supply every deficiency by the most ample and extraordinary concessions. The emperors, as the first ministers of the republic, were exempted from the obligation and penalty of many inconvenient laws: they were authorised to convoke the senate, to make several motions in the same day, to recommend candidates for the honours of the state, to enlarge the bounds of the city, to employ the revenue at their discretion, to declare peace and war, to ratify treaties; and by a most comprehensive clause, they were empowered to execute whatsoever they should judge advantageous to the empire, and agreeable to the majesty of things private or public, human or divine.†

The Magistrates.

§ 28. When all the various powers of executive government were committed to the *Imperial magistrate*, the ordinary magistrates of the commonwealth languished in obscurity, without vigour, and almost without business. The names and forms of the ancient administration were preserved by Augustus with the most anxious care. The usual number of consuls, prætors, and tribunes, were annually invested with their respective ensigns of office, and continued to discharge some of their least important functions. Those honours still attracted the vain ambition of the Romans; and the emperors themselves, though invested for life with the powers of the consulship, frequently aspired to the title of that annual dignity, which they condescended to share with the most illustrious of their fellow-citizens. During the reign of Augustus these magistrates continued to be elected by the people; but upon the accession of Tiberius the elections were transferred to the senate. The assemblies of the people were abolished,‡ and the emperors were delivered from a dangerous multitude, who, without restoring liberty, might have disturbed, and perhaps endangered, the established government.

* To this must be added the veto on the decree of the magistrate, *e.g.* in jurisdiction.

† *I.e.* they were given the right of issuing edicts as interpreters of law (see Appendix, note 2, on "The Powers of the *Princeps*").

‡ The *comitia* ceased to elect magistrates—except possibly the consuls, whose names were suggested by the emperor—in A.D. 14, at the beginning of Tiberius' reign. They met occasionally for legislative purposes, at least as late as the reign of Nerva.

The Senate.

§ 29. Augustus and his successors founded their new empire upon the dignity of the senate. In the administration of their own powers they frequently consulted the great national council, and *seemed* to refer to its decision the most important concerns of peace and war. Rome, Italy, and the internal provinces, were subject to the immediate jurisdiction of the senate. With regard to civil objects, it was the supreme court of appeal; with regard to criminal matters, a tribunal, constituted for the trial of all offences that were committed by men in any public station, or that affected the peace and majesty of the Roman people. The exercise of the judicial power became the most frequent and serious occupation of the senate; and the important causes that were pleaded before them afforded a last refuge to the spirit of ancient eloquence. As a council of state, and as a court of justice, the senate possessed very considerable prerogatives; but in its legislative capacity, in which it was supposed virtually to represent the people, the rights of sovereignty were acknowledged to reside in that assembly. Every power was derived from their authority, every law was ratified by their sanction. Their regular meetings were held on two stated days in every month, the Calends, and the Ides.* The debates were conducted with decent freedom; and the emperors themselves, who gloried in the name of senators, sat and debated with their equals.

Court of the Emperors.

§ 30. The face of the court corresponded with the forms of the administration. The emperors, if we except those tyrants whose capricious folly violated every law of nature and decency, disdained that pomp and ceremony which might offend their countrymen, but could add nothing to their real power. In all the offices of life they affected to confound themselves with their subjects, and maintained with them an equal intercourse of visits and entertainments. Their habit, their palace, their table, were suited only to the rank of an opulent senator. Their family, however numerous or splendid, was composed entirely of their domestic slaves and freedmen. Augustus or Trajan would have blushed at employing the meanest of the Romans in those menial offices which, in the household and bedchamber of a limited monarch, are so eagerly solicited by the proudest nobles of Britain.

Deification of the Emperors.

§ 31. The deification of the emperors is the only instance in which they departed from their accustomed prudence and modesty. A regular custom was introduced, that, on the decease of every emperor, the senate by a solemn decree should place him in the number of the gods: and the ceremonies of his apotheosis were blended with those of his funeral.†

* The meetings on the fixed days were known as *senatus legitimi*; extraordinary meetings summoned on other days as *senatus indicti*.

† The object of this deification was to create loyalty to a dynasty, and to give a national religion to the empire, rather than to gratify personal pride (see Appendix, note 3, on "The Deification of the Emperor").

Titles of Augustus and Cæsar

§ 32. In the consideration of the Imperial government, we have frequently mentioned the artful founder under his well-known title of Augustus. The obscure name of Octavianus he derived from a mean family in the little town of Aricia. The illustrious surname of Cæsar he had assumed as the adopted son of the dictator. The title of Augustus was conferred upon him by the senate as expressive of the character of peace and sanctity which he uniformly affected. *Augustus* was therefore a personal, *Cæsar* a family distinction. The former should naturally have expired with the prince on whom it was bestowed; and however the latter was diffused by adoption and female alliance, Nero was the last prince who could allege any hereditary claim to the honours of the Julian line. But, at the time of his death, the practice of a century had inseparably connected those appellations with the Imperial dignity, and they were preserved by a long succession of emperors—Romans, Greeks, Franks, and Germans—from the fall of the republic to the time of Napoleon. A distinction was, however, soon introduced. The sacred title of Augustus was always reserved for the monarch, whilst the name of Cæsar was more freely communicated to his relations; and, from the reign of Hadrian, at least, was appropriated to the second person in the state, who was considered as the presumptive heir of the empire.

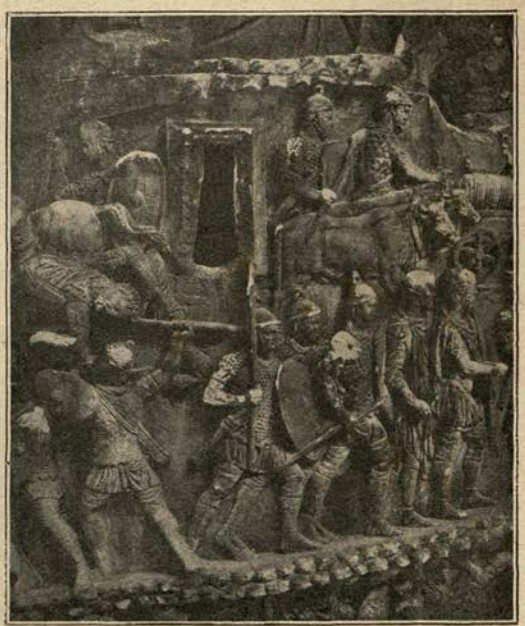
Designation of a successor: of Tiberius, Titus, Trajan, Hadrian, and the Antonines

§ 33. In elective monarchies the vacancy of the throne is a moment big with danger and mischief. The Roman emperors invested their designed successor with so large a share of present power, as should enable him, after their decease, to assume the remainder without suffering the empire to perceive the change of masters. Thus Augustus obtained for Tiberius authority equal to his own over the provinces and the armies. Thus Vespasian associated Titus in the full powers of the Imperial dignity. Thus Nerva, feeling that his feeble age was unequal to the weight of empire, declared Trajan his colleague and successor in the empire. Trajan adopted his kinsman Hadrian, under whose reign, as has been already mentioned, the empire flourished in peace and prosperity. Hadrian at first selected as his successor Ælius Verus, a gay and voluptuous nobleman; but on the death of Verus the emperor named as his son and successor one of the most virtuous of the Romans, who afterwards reigned under the name of Antoninus Pius. He was adopted by Hadrian on condition that he should adopt in his turn the young Marcus Aurelius, and the son of Ælius Verus, and he gave to the former his daughter Faustina in marriage. Pius was succeeded (A.D. 161) by his two adopted sons; but the younger Verus, with many vices, possessed one virtue—a dutiful reverence for his wiser colleague, to whom he willingly abandoned the ruder cares of empire. Antoninus Pius and Marcus Aurelius, or the two Antonines, as they are usually called, governed the Roman world 42 years (A.D. 138–180) with the same invariable spirit of wisdom and virtue. Their united

reigns are possibly the only period of history in which the happiness of a great people was the sole object of government.

The two Antonines: happiness of the Romans.

§ 34. The reign of Titus Antoninus Pius is marked by the rare advantage of furnishing very few materials for history; which is, indeed, little more than the register of the crimes, follies, and misfortunes of mankind. In private life he was an amiable as well as a good man. The native simplicity of his virtue was a stranger to vanity or affectation. He enjoyed with moderation



Portion of the Column of Marcus Aurelius.

the conveniences of his fortune and the innocent pleasures of society; and the benevolence of his soul displayed itself in a cheerful serenity of temper.

The virtue of Marcus Aurelius Antoninus was of a severer and more laborious kind. At the age of twelve years he embraced the rigid system of the Stoics, which taught him to consider virtue as the only good, vice as the only evil, all things external as things indifferent. His Meditations, composed in the tumult of a camp, are still extant. But his life was the

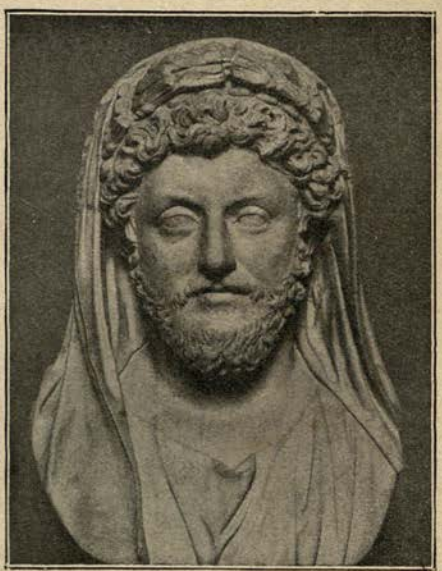
noblest commentary on the precepts of Zeno. He was severe to himself, indulgent to the imperfection of others, just and beneficent to all mankind. War he detested, as the disgrace and calamity of human nature; but when the necessity of a just defence called upon him to take up arms, he readily exposed his person to eight winter campaigns on the frozen banks of the Danube, the severity of which was at last fatal to the weakness of his constitution. His memory was revered by a grateful posterity, and, above a century after his death, many persons preserved the image of Marcus Aurelius among those of their household gods.*

If a man were called to fix the period in the history of the world during which the condition of the human race was most happy and prosperous, he would, without hesitation, name that which elapsed from the death of Domitian to the accession of Commodus. The vast extent of the Roman empire was governed by absolute power under the guidance of virtue and wisdom. The armies were restrained by the firm but gentle hand of four successive emperors whose characters and authority commanded involuntary respect. The forms of the civil administration were carefully preserved by Nerva, Trajan, Hadrian, and the Antonines, who delighted in the image of liberty, and were pleased with considering themselves as the accountable ministers of the laws. Such princes deserved the honour of restoring the republic, had the Romans of their days been capable of enjoying a rational freedom.

* The Antonine column, figured on this page, was erected in honour of M. Aurelius, and still stands at Rome. It is a repetition of the column of Trajan. The bas-reliefs represent the conquests of the Marcomanni.

Antonine Column.

[On the constitution of the Principate, Mommsen, *Römisches Staatsrecht*, II. 2; Mispoulet, *Les institutions politiques des Romains*, p. 233; Willems, *Le droit public Romain*, p. 403; Pelham on *Princeps* in Smith's *Dictionary of Greek and Roman Antiquities* (3rd ed.), ii. p. 483. On the provinces, Marquardt, *Römische Staatsverwaltung*, i.; Arnold (W. T.), *Roman Provincial Administration*; Moyle on *Provincia* in Smith's *Dictionary of Antiquities* (3rd ed.); Mommsen, *The Provinces from Cæsar to Diocletian*. On the army, Marquardt, *Römische Staatsverwaltung*, ii. (translated into French by Brissaud); Purser on *Exercitus* in Smith's *Dictionary of Antiquities* (3rd ed.), where further references will be found. For the history of the period sketched in the chapter, Schiller (H.), *Geschichte der Römischen Kaiserzeit*, ii. 2, § 58; iii. §§ 64–68; Merivale, *History of the Romans under the Empire*.]



Marcus Aurelius as Frater Arvalis. (Veiled bust in British Museum.)

## APPENDIX.

### NOTE 1 (§ 8).—"THE QUARTERS OF THE LEGIONS."

The best exhibition of the distribution of the legions in the period of the later Principate which we possess is contained in two marble columns at Rome (published in *Corpus Inscriptionum Latinarum*, vi. n. 3462 *a b*, p. 808). The list appears to exhibit the distribution of the legions between the time of Hadrian and the later years of Marcus Aurelius; but it contains additions of the period of Septimius Severus.

The numbers are as follows:—

In *Britain*, 3; in *Germany:* upper, 2, lower, 2; in *Pannonia:* upper, 3, lower, 1; in *Mœsia:* upper, 2, lower, 3; in *Dacia*, 1; in *Cappadocia*, 2; *Euphrates Provinces:* Phœnicia, 1; Syria, 2; Judæa, 2; Arabia, 1; *Ægypt*, 1; *Numidia*, 1; *Spain*, 1; *Noricum*, 1; *Rhætia*, 1. To which are added three raised by Septimius Severus: I. Parthica in Mesopotamia; II. Parthica in Italia; III. Parthica in Mesopotamia.

(For the arrangement of the legions during the whole period of the early Principate see E. G. Hardy, *Movements of the Roman Legions from Augustus to Severus* in *English Historical Review*, No. 8, October, 1887.)

## NOTE 2 (§ 27).—"THE POWERS OF THE *PRINCEPS*."

§ 27 is in the main a paraphrase of a curious document dealing with some of the powers conferred on the *princeps*, which has come down to us. It is a bronze tablet discovered at Rome in the fourteenth century, and now in the Capitoline Museum, and it contains the concluding fragment of a series of powers conferred on the emperor Vespasian on his accession in A.D. 69-70. It describes itself as a law, and is generally known as the *Lex de Imperio Vespasiani;* but its wording bears more analogy to that of a *Senatus consultum* (Mommsen, *Staatsr.* ii. p. 879), and it is probably a decree of the senate meant to be submitted to the formal approbation of the people.

It is very important for framing a constitutional theory of the empire to determine what part this law plays in creating the Imperial prerogative. Different interpretations of it have led to very divergent views as to the mode in which the Imperial powers were conferred.

The prerogatives on which Augustus based the Principate were the *Proconsulare Imperium* and the *Tribunicia Potestas*, the grants of both these powers being at first temporary and renewed from time to time, but afterwards perpetual. The first gave him authority outside Rome and Italy, the second was supposed to be the basis of his influence within the central state. The object which Augustus had in view was to conceal as carefully as possible the military character of the monarchy from the eyes of Roman citizens. This character would have been strikingly apparent had he rested his authority in the capital on the unlimited *imperium.*

But practical considerations rendered the maintenance of this theory impossible. Qualifications had to be introduced which, without being so obvious as to obscure the apparently constitutional character of the rule of Augustus and his successors, yet went far enough to give the emperor the authority necessary for making him the supreme head of the state.

I. By a special dispensation the emperor was allowed to *retain* the *proconsulare imperium* within the walls. It was never clearly determined whether by this retention was meant the capacity for *exercising* the full *imperium* within the city; and the emperors were content to leave the question in a state of convenient uncertainty. Yet, by the retention of the *imperium* within the walls, the proconsular was assumed to become a kind of quasi-consular imperium. It was certainly in virtue of *an imperium* held within the city that the emperor exercised civil and criminal jurisdiction in Rome.

II. Subsidiary grants were made from time to time to Augustus and his successors, which were meant to supplement the gaps in the inadequate *proconsulare imperium* and *tribunicia potestas.* Such was the conferment of the consular *insignia* on the emperor, who, like the tribune, possessed in his own right no distinctive dress while he sojourned in Rome. Such, too, was the right of making the first proposal in the senate (*jus primæ relationis*); for the *tribunicia potestas* placed the emperors in this respect

below the consuls and prætors. And such, in all probability, is the heterogeneous collection of powers embraced by our fragmentary *Lex de Imperio Vespasiani*. They were prerogatives of a very gradual growth; and the statute, in which they were embodied at Vespasian's accession, gives the emperor the power (1) of making treaties; (2) extending the *pomerium*; (3) commending magistrates for office; (4) issuing edicts as interpretations of law, human and divine. (5) It exempts him from the operation of certain laws, and (6) gives him certain special privileges in his relations with the senate. Many of the powers here enumerated are closely associated with the *imperium*. But the law does not confer any definite *kind* of *imperium*, and is as little connected with the conferment of the *proconsulare imperium* as it is with the grant of the *tribunicia potestas*. It is a supplement to both, framed as a *senatus consultum* and passed as a *lex* through the Assembly (whether of the Populus or of the Plebs we cannot say). In this respect it followed the analogy of the *plebiscitum* conferring the *tribunicia potestas*, which required and received the formal ratification of the Plebs.

The imperial biographies, while mentioning the conferment of the *proconsulare imperium* and *tribunicia potestas*, speak of no *law* conferring the *imperium* (*Vitæ Veri*, 4; *Juliani*, 3; *Alexandri*, 1; *Probi*, 12). It is only from the Jurists of the second and third centuries A.D. that we hear of the emperors receiving *imperium* through a *lex* (Gaius, i. 5; Ulpian in Digest, i. 4, 1). Mommsen believes this to be the law giving the Tribunician power (*Staatsrecht*, ii. p. 876); but it is not impossible that the law which we have discussed had, by the accretions of ages, assumed dimensions sufficient to throw into the shade the other sources of the imperial authority.

(For references to modern works see the bibliography on the constitution of the Principate, at the end of the chapter.)

### NOTE 3 (§ 31).—"THE DEIFICATION OF THE EMPEROR."

Emperor-worship assumed two forms in the Roman world, both of them in harmony with the spiritual conceptions of the time, and both of them equally available for the purpose of creating a religious loyalty in the Italian and provincial mind. One was the religious cult ordained for the service of the deified Cæsar, the other the religious reverence permitted for the spiritual personality—the *numen* or *genius*—of the living monarch. There was nothing to shock Roman sentiment in the worship of the genius of a living man, and when the man had died he and his genius had become one. There was no reason to confine the reverence felt for the guardian angel of the world to the sphere in which he had once moved and acted. To the Oriental mind such self-analysis was scarcely necessary; the nations of the East had deified their monarchs for centuries, and the unseen Cæsar, whose distant power they felt, and whose ordered government they obeyed, might well seem a greater god than their local divinities, the area of whose power and protection was often restricted by the bounds of a single state. In the western provinces Cæsar-worship was more of an artificial product; but artifice, although it may create, can scarcely sustain a religious ceremonial, even by the bribe of dignified priesthoods, and we must suppose an undercurrent of genuine belief in Gaul, Spain, and Britain.

Yet, although there was spontaneity in its origin, the favour shown by the government to the cult of the Cæsars was a powerful factor in its growth. Hardly had Octavian secured his power when he permitted the consecration of a temple to *Divus Julius* (Dio Cassius, li. 22); and although his own direct worship was not permitted in Italy, and an altar in the *curia* was declined (Dio Cassius, liv. 25), a temple dedicated to him as Augustus rose at Panium in Palestine (20 B.C., Josephus, *Antiquitates*, xv. 10, 3). In the next year the more modest, and hence the more usual form of dedication to "Rome and Augustus" was allowed at Pergamum

(Eckhel, *Doctrina Numorum*, ii. 466). A similar worship was instituted for the Gallic nobles at Lugdunum (12 B.C., Dio Cassius, liv. 32). In 8 B.C. his divinity was recognised at Rome in the modified form suited to his own wishes and the susceptibilities of the Italians; the *genius* of Augustus was associated with the household gods or *Lares* in the worship of the *vici* of the capital (Egger, *Examen critique des historiens du régne d'Auguste*, Appendix II. pp. 360–375). Finally, on Augustus' death, Tiberius permitted altars to be raised to the divinity of his deified predecessor in Tarraconensis, in Narbonensis, and in Asia. This and other similar concessions of the first and second emperors formed the prototype of a policy which was preserved with lasting effects on the organisation of the Roman and provincial world. Amongst these may be singled out—

I. The establishment of a priestly aristocracy. On the death and deification of Augustus the college of *Sodales Augustales* was created, consisting of twenty-one nobles and containing in its list members of the Imperial house (Tacitus, *Annals*, i. 54). The *Flamines Augustales* in the provinces held the same dignified position in their native towns, and were drawn from the aristocracies of the states; nor were the lower and the middle class forgotten. The freedmen, whose birth excluded them from office, formed the staple of the *Seviri* and *Augustales* of the municipal towns, and gained from the worship of Augustus *insignia* and honours, compensating for those which the law forbade them to hold in the secular life of their cities.

II. The great provincial diets (*concilia*, *communia*, κοινά), of which that founded at Lyons was the prototype, soon became a marked feature of provincial life. In the East Cæsar-worship was often associated with existing gatherings of tribes of kindred nationality who met for a common worship; and the favour shown by the government to such a proof of loyalty soon led the West to follow the example of the East. The high priests (*sacerdotes provinciæ*, ἀρχιερεῖς) were chosen yearly from the most distinguished families; and delegates (*legati*, σύνεδροι) from the districts into which the province was divided were sent to the annual meetings (*concilia*, κοινά). They elected their high priests and voted money for sacred purposes; but representative assemblies of nations could not confine their utterances to purely religious matters, and the government permitted—perhaps even encouraged—them to make representations about the condition of the province and complaints about the conduct of officials. Every province of the empire seems to have possessed a diet of some kind; and even Britain, one of the least organised, had at Colchester a *templum Divo Claudio constitutum*, looked on by the natives *quasi aux æternæ dominationis* (Tacitus, *Annals*, xiv. 31). The close connection of these assemblies with the inner organisation of the province, the sentiment of loyalty which they inspired, and the dignified career which they opened to provincial nobles, rendered it impossible for Christianity to sweep them away entirely. Even the priesthoods still continued in name and as a secular honour. The Asiarchs, Syriarchs, Phœniciarchs, etc. (as the high priests were called, from the names of their respective provinces), are respected by Constantine's legislation (A.D. 336, *Codex Justinianus*, 5, 27, 1), and under this first Christian emperor a new *sacerdotium Flaviæ gentis* was created in Africa (Victor, *Cæsares*, 40, 28), and a temple, where no pagan rite was to be performed, was raised to the same family in Umbria (Orelli-Henzen, 5580).

(For the *concilia*, see Marquardt, *Staatsverwaltung*, i. p. 503; Kuhn, *Verfassung des Römischen Reichs*, i. p. 106; on the *Augustales*, Mourlot, *Essai sur l'histoire de l'Augustalité dans l'Empire Romain*, where a bibliography of this portion of the subject will be found.)

Arch of Septimius Severus.*

## CHAPTER II.

### REIGNS OF COMMODUS, PERTINAX, DIDIUS JULIANUS, AND SEPTIMIUS SEVERUS.

§ 1. Accession of COMMODUS: his character. § 2. Conspiracy against his life: his hatred and cruelty towards the Senate. § 3. His dissolute and degrading pleasures. § 4. His assassination. § 5. Choice of PERTINAX for Emperor. § 6. His virtues: his murder by the Prætorian guards. § 7. The Prætorian guards: their institution and specious claims. § 8. They offer the empire to sale: it is purchased by JULIAN. § 9. Revolt of Clodius Albinus in Britain, of Pescennius Niger in Syria, and of Septimius Severus in Pannonia: SEPTIMIUS SEVERUS marches to Rome, and is declared Emperor: death of Julian. § 10. Defeat and death of Niger and Albinus: siege of Byzantium.

* The arch of Septimius Severus still exists in good preservation at the north-east of the Roman forum. It was dedicated to Severus and his two sons, Caracalla and Geta, in the 11th year of his reign, A.D. 203, as a commemoration of the victory over the Parthians.

§ 11. Government of Severus: general peace and prosperity: relaxation of military discipline. § 12. New establishment of the Prætorian guards. § 13. The office of Prætorian Præfect. § 14. New maxims of the Imperial prerogative. § 15. Julia Domna, the wife of Severus: their two sons, Caracalla and Geta. § 16. Severus goes into Britain: his death.

Accession of COMMODUS: his character.

§ 1. THE golden age of Trajan and the Antonines was succeeded by an age of iron. Commodus, the son of Marcus Aurelius, was only nineteen years of age at the death of his father (A.D. 180). He succeeded to the throne amidst the acclamations of the senate and armies; and the happy youth saw around him neither competitor to remove nor enemies to punish. Nature had formed him of a weak rather than a wicked disposition; but his mind was gradually corrupted by his attendants; and his cruelty, which at first obeyed the dictates of others, degenerated into habit, and at length became the ruling passion of his soul.

The first measure of his reign was to conclude peace with the Quadi and Marcomanni, against whom his father had carried on war in person for several years. He then hurried to Rome to enjoy the pleasures of the capital with the servile and

Coin of Commodus, inscribed *Herculi Romano conditori* (see p. 27).

profligate youths whom Marcus had banished, but who soon regained their station and influence about the new emperor. But although he indulged in a dissolute course of amusements, he intrusted, during the first three years of his reign, the administration to the faithful counsellors of his father; his hands were yet unstained with blood; and he had even displayed a generosity of sentiment, which might perhaps have ripened into solid virtue. A fatal incident decided his fluctuating character.

Conspiracy against his life: his hatred and

§ 2. One evening, as the emperor was returning to the palace through a dark and narrow portico in the amphitheatre, an assassin, who waited his passage, rushed upon him with a drawn

cruelty towards the Senate.

sword, loudly exclaiming, "*The senate sends you this.*" The menace prevented the deed; the assassin was seized by the guards, and immediately revealed the authors of the conspiracy. It had been formed, not in the senate, but within the walls of the palace. Lucilla, the emperor's sister, and widow of Lucius Verus, impatient of the second rank, and jealous of the reigning empress, had armed the murderer against her brother's life. But the words of the assassin sunk deep into the mind of Commodus, and left an indelible impression of fear and hatred against the whole body of the senate. The Delators,* a race of

Commodus (from the bust in the British Museum).

men discouraged, and almost extinguished, under the former reigns, again became formidable as soon as they discovered that the emperor was desirous of finding disaffection and treason in the senate. Suspicion was equivalent to proof; trial to condemnation. The execution of a considerable senator was attended with the death of all who might lament or revenge his fate; and when Commodus had once tasted human blood, he became incapable of pity or remorse.

His dissolute and degrading pleasures.

§ 3. The first minister of his crimes was Perennis; but the emperor was obliged to sacrifice him to the complaints of the legions of Britain (A.D. 185). Perennis was succeeded in

* See Appendix, note 1, on "*Delatores.*"

the Imperial favour and in the command of the Prætorian troops, by Cleander,* a Phrygian by birth, who during four years governed the empire with absolute sway, till at length his avarice and cruelty excited a revolt of the populace, which was only appeased by the execution of the guilty favourite (A.D. 189). Meanwhile every sentiment of virtue and humanity had become extinct in the mind of Commodus. Whilst he abandoned the reins of empire to these unworthy favourites, his only occupations were the indulgence of his sensual appetites, and the sports of the circus and amphitheatre. The Roman emperor even deigned to descend into the arena of the amphitheatre, and to exhibit his skill before the populace of Rome. Not content with slaying wild beasts with his own hands, he entered the lists as a gladiator, and gloried in a profession which the laws and manners of the Romans had branded with the justest infamy. The servile crowd, whose fortune depended on their master's vices, applauded these ignoble pursuits, and saluted him as the *Roman Hercules*, a title which Commodus eagerly embraced, and which we still read upon his medals.†

His assassination.

§ 4. But amidst the acclamations of a flattering court, Commodus was unable to disguise from himself that he had deserved the contempt and hatred of every man of sense and virtue in his empire. His ferocious spirit was irritated by the consciousness of that hatred, by the envy of every kind of merit, by the just apprehension of danger, and by the habit of slaughter which he contracted in his daily amusements. His cruelty proved at last fatal to himself. Marcia, his favourite concubine, Eclectus, his chamberlain, and Lætus, his Prætorian præfect,‡ alarmed by the fate of their companions and predecessors, resolved to prevent the destruction which every hour hung over their heads. Marcia seized the occasion of presenting a draught of poisoned wine to her lover, after he had fatigued himself with hunting some wild beasts. Commodus retired to sleep; but whilst he was labouring with the effects of poison and drunkenness, a robust youth, by profession a wrestler, entered his chamber, and strangled him without resistance. Commodus perished January 1, A.D. 193, after a reign of eleven years.

Choice of PERTINAX for Emperor

§ 5. The measures of the conspirators were conducted with the deliberate coolness and celerity which the greatness of the occasion required. They resolved instantly to fill the vacant throne with an emperor whose character would justify and

* Cleander nominally possessed two colleagues in the Præfecture, which was now for the first time shared amongst three persons (*Vita Commodi*, c. 6).

† *Herculi Romano conditori* (see the coin reproduced on p. 25). The last epithet refers to his restoration in A.D. 192 of part of Rome that had been destroyed by a fire.

‡ See Appendix, note 2, on "The *Præfectus Prætorio*."

maintain the action that had been committed. They fixed on Pertinax, præfect of the city, an ancient senator of consular rank, whose conspicuous merit had broke through the obscurity of his birth, and raised him to the first honours of the state. He now remained almost alone of the friends and ministers of Marcus; and when, at a late hour of the night, he was awakened with the news that the chamberlain and the præfect were at his door, he received them with intrepid resignation, and desired they would execute their master's orders. Instead of death, they offered him the throne of the Roman world. During some moments he distrusted their intentions and assurances. Convinced at length of the death of Commodus, he accepted the purple with a sincere reluctance, the natural effect of his knowledge both of the duties and of the dangers of the supreme rank.

Lætus conducted without delay his new emperor to the camp of the Prætorians, diffusing at the same time through the city a seasonable report that Commodus died suddenly of an apoplexy; and that the virtuous Pertinax had *already* succeeded to the throne. The guards were rather surprised than pleased with the suspicious death of a prince whose indulgence and liberality they alone had experienced: but they stifled their secret discontents, and swore allegiance to the new emperor. The senate joyfully ratified the election, and conferred upon him all the titles of Imperial power. The memory of Commodus was branded with eternal infamy. They decreed that his honours should be reversed, his titles erased from the public monuments, his statues thrown down, and his body dragged with a hook into the stripping-room of the gladiators, to satiate the public fury.

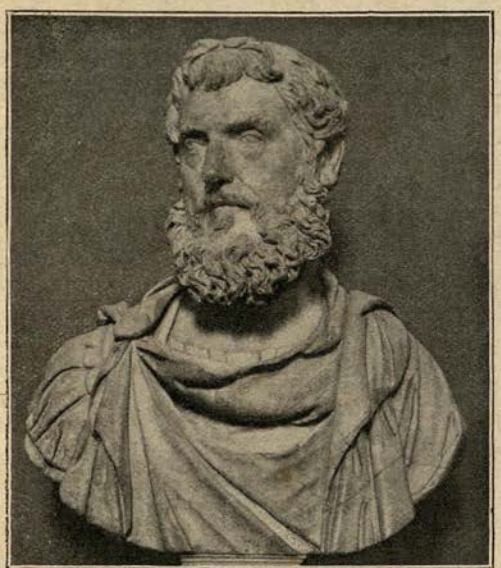
His virtues: his murder by the Prætorian guards.

§ 6. Pertinax found a nobler way of condemning his predecessor's memory—by the contrast of his own virtues with the vices of Commodus. He endeavoured to heal, as far as it was possible, the wounds inflicted by the hand of tyranny. The innocent victims who yet survived were recalled from exile, released from prison, and restored to the full possession of their honours and fortunes. The Delators were punished. Strict economy was introduced into the public expenditure. He remitted all the oppressive taxes invented by Commodus, and cancelled all the unjust claims of the treasury. He removed the oppressive restrictions which had been laid upon commerce,* and granted all the uncultivated land in Italy and the provinces† to those who would improve them; with an exemption from tribute during the term of ten years. Such an uniform conduct had already secured to Pertinax the noblest reward of a sovereign, the love and esteem of his people. But amidst

* By abolishing the harbour-dues (*portoria*) (Herodian, ii. 4).

† *I.e.* those uncultivated lands which formed part of the public domains (Herodian, *l.c.*).

the general joy the sullen and angry countenance of the Prætorian guards betrayed their inward dissatisfaction. They had reluctantly submitted to Pertinax; they dreaded the strictness of the ancient discipline, which he was preparing to restore; and they regretted the licence of the former reign. On the 28th of March (A.D. 193), eighty-six days only after the death of Commodus, a general sedition broke out in the camp. Two or three hundred of the most desperate soldiers marched at noon-day, with arms in their hands and fury in their looks,



Publius Helvius Pertinax (from the bust in the British Museum).

towards the Imperial palace. The gates were thrown open by their companions upon guard; and Pertinax was speedily despatched with a multitude of wounds.

The Prætorian guards: their institution and specious claims.

§ 7. The power of the sword is more sensibly felt in an extensive monarchy than in a small community. To illustrate this observation we need only reflect that the tyrant of a single town, or a small district, would soon discover that an hundred armed followers were a weak defence against ten thousand peasants or citizens; but an hundred thousand well-disciplined soldiers will command, with despotic sway, ten millions of subjects; and a body of ten or fifteen thousand guards will

strike terror into the most numerous populace that ever crowded the streets of an immense capital. The Prætorian bands, whose licentious fury was the first symptom and cause of the decline of the Roman empire, scarcely amounted to the last-mentioned number. They derived their institution from Augustus. That crafty tyrant, sensible that laws might colour, but that arms alone could maintain his usurped dominion, had gradually formed this powerful body of guards, in constant readiness to protect his person, to awe the senate, and either to prevent or to crush the first motions of rebellion. He distinguished these favoured troops by a double pay and superior privileges; but, as their formidable aspect would at once have alarmed and irritated the Roman people, three cohorts only were stationed in the capital; whilst the remainder was dispersed in the adjacent towns of Italy. But after fifty years of peace and servitude, Tiberius ventured on a decisive measure, which for ever riveted the fetters of his country. Under the fair pretences of relieving Italy from the heavy burden of military quarters, and of introducing a stricter discipline among the guards, he assembled them at Rome in a permanent camp, which was fortified with skilful care, and placed on a commanding situation.

Such formidable servants are always necessary, but often fatal, to the throne of despotism. By thus introducing the Prætorian guards as it were into the palace and the senate, the emperors taught them to perceive their own strength, and the weakness of the civil government. Even the firmest and best established princes were obliged to mix blandishments with commands, rewards with punishments, to flatter their pride, indulge their pleasures, connive at their irregularities, and to purchase their precarious faith by a liberal donative; which, since the elevation of Claudius, was exacted as a legal claim on the accession of every new emperor. The advocates of the guards endeavoured to justify by arguments the power which they asserted by arms; and to maintain that, according to the purest principles of the constitution, *their* consent was essentially necessary in the appointment of an emperor. The election of consuls, of generals, and of magistrates, however it had been recently usurped by the senate, was the ancient and undoubted right of the Roman people. But where was the Roman people to be found? Not surely amongst the mixed multitude of slaves and strangers that filled the streets of Rome; a servile populace, as devoid of spirit as destitute of property. The defenders of the state, selected from the flower of the Italian youth, and trained in the exercise of arms and virtue, were the genuine representatives of the people, and the best entitled to elect the military chief of the republic. These assertions, however defective in reason, became unanswerable when the fierce Prætorians increased their weight by throwing, like the barbarian conqueror of Rome, their swords into the scale.

They offer the empire to sale: it is purchased by JULIAN.

§ 8. The Prætorians had violated the sanctity of the throne by the atrocious murder of Pertinax; they dishonoured the majesty of it by their subsequent conduct. Anxious to obtain the highest price for the valuable commodity they had to sell, they proclaimed from the ramparts that the Roman world was to be disposed of to the best bidder by public auction. This infamous offer, the most insolent excess of military licence, diffused an universal grief, shame, and indignation throughout the city. But two purchasers were found,—Didius Julianus, a wealthy senator, and Flavius Sulpicianus, the father-in-law of the late emperor, who had been already in treaty with the guards for the Imperial dignity. The unworthy negotiation was transacted by faithful emissaries, who passed alternately from one candidate to the other, and acquainted each of them with the offers of his rival. Sulpicianus had already promised a donative of 5000 *drachmæ* (above 160*l.*) to each soldier; when Julian, eager for the prize, rose at once to the sum of 6250 *drachmæ*, or upwards of 200*l.* sterling. The gates of the camp were instantly thrown open to the purchaser; he was declared emperor, and received an oath of allegiance from the soldiers. He was conducted by the soldiers to the senate, who obsequiously conferred on him all the branches of the Imperial power. From the senate he was carried to the palace. The first objects that struck his eyes were the abandoned trunk of Pertinax, and the frugal entertainment prepared for his supper. The one he viewed with indifference; the other with contempt. A magnificent feast was prepared by his order, and he amused himself till a very late hour with dice and the performances of Pylades, a celebrated dancer. Yet it was observed that, after the crowd of flatterers dispersed, and left him to darkness, solitude, and terrible reflection, he passed a sleepless night; revolving most probably in his mind his own rash folly, the fate of his virtuous predecessor, and the doubtful and dangerous tenure of an empire which had not been acquired by merit, but purchased by money.

Revolt of Clodius Albinus in Britain, of Pescennius Niger in Syria, and of Septimius Severus in Pannonia: SEPTIMIUS SEVERUS marches to Rome, and is declared Emperor: death of Julian.

§ 9. He had reason to tremble. On the throne of the world he found himself without a friend, and even without an adherent. The guards themselves were ashamed of the prince whom their avarice had persuaded them to accept; nor was there a citizen who did not consider his elevation with horror, as the last insult on the Roman name. The public discontent was soon diffused from the centre to the frontiers of the empire. The armies of Britain, of Syria, and of Pannonia sternly refused to ratify the ignominious bargain of the Prætorians. Their immediate and unanimous revolt was fatal to Julian, but it was fatal at the same time to the public peace; as the generals of the respective armies, Clodius Albinus in Britain, Pescennius Niger in Syria, and Septimius Severus in Pannonia, were still more anxious to succeed than to revenge the murdered Pertinax.* Their forces

* Niger and Severus were proclaimed emperors early in A.D. 193 Albinus probably not until the beginning of A.D. 196.

were exactly balanced. Each of them was at the head of three legions, with a numerous train of auxiliaries; and, however different in their characters, they were all soldiers of experience and capacity. But Septimius Severus had a great advantage over his competitors in his proximity to Italy. His province extended to the Julian Alps; and he remembered the saying of Augustus, That a Pannonian army might in ten days appear in sight of Rome.* By a celerity proportioned to the greatness of the occasion, he might reasonably hope to revenge Pertinax, punish Julian, and receive the homage of the senate and people as their lawful emperor, before his competitors were apprised of his success or even of his election. Accordingly he crossed the Alps and advanced towards Rome with the utmost speed. Upon reaching Interamna, about seventy miles from Rome, he despatched his emissaries to the capital to assure the guards, that, provided they would abandon their worthless prince, and the perpetrators of the murder of Pertinax, to the justice of the conqueror, he would no longer consider that melancholy event as the act of the whole body. The faithless Prætorians, who trembled at the name of the Pannonian legions, gladly complied with the easy conditions, seized the greatest part of the assassins, and signified to the senate that they no longer defended the cause of Julian. That assembly, convoked by the consul, unanimously acknowledged Severus as lawful emperor, decreed divine honours to Pertinax, and pronounced a sentence of deposition and death against his unfortunate successor. Julian was conducted into a private apartment of the baths of the palace and beheaded as a common criminal, after having purchased, with an immense treasure, an anxious and precarious reign of only sixty-six days (June 1, A.D. 193).

Defeat and death of Niger and Albinus: siege of Byzantium.

§ 10. Septimius Severus left Rome at the end of thirty days in order to encounter his two formidable rivals. In order to lull one into security while he attacked the other, he conferred upon Albinus the rank of Cæsar, and treated him with every mark of esteem and regard. But as soon as he had worsted Pescennius Niger in Syria, he threw off the mask and hastened from the East to the West at the head of his victorious armies. In less than four years (A.D. 193–197) both wars were brought to a close, and Severus became the undisputed master of the empire. Three battles, the first near the Hellespont, the second near Nicæa in Bithynia, and the third in the narrow defiles of Cilicia,† decided the fate of his Syrian competitor; and the troops of Europe asserted their usual ascendant over the effeminate natives of Asia. The battle of Lyons, where 150,000 Romans were engaged, was equally fatal to Albinus. Both Niger and Albinus were discovered and put to death in their flight from the fields of battle.‡

* Velleius, ii. 111.

† Near Issus.

‡ Niger was put to death; the fate of Albinus is less certain; Herodian (iii. 7) and the *Vita Severi* (c. 11) speak of his head being cut off; Dio Cassius (lxxv. 7) says that he committed suicide.

Upon the death of Niger all the East at once submitted to Severus with the exception of Byzantium. This city sustained a siege of three years, and remained faithful to the name and memory of Niger. The citizens and soldiers (we know not from what cause) were animated with equal fury; the fortifications were esteemed impregnable, and, in the defence of the place, a celebrated engineer displayed all the mechanic powers known to the ancients. Byzantium at length surrendered to famine. The magistrates and soldiers were put to the sword, the walls demolished, the privileges suppressed, and the destined capital of the East subsisted only as an open village, subject to the insulting jurisdiction of Perinthus. The historian Dio Cassius* accused the revenge of Severus for depriving the Roman people of the strongest bulwark against the barbarians of Pontus and Asia. The truth of this observation was but too well justified in the succeeding age, when the Gothic fleets covered the Euxine, and passed through the undefended Bosporus into the centre of the Mediterranean.

Government of Severus: general peace and prosperity: relaxation of military discipline.

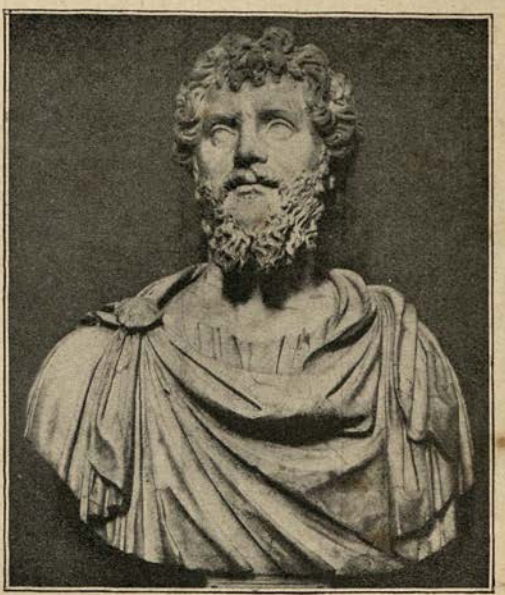
§ 11. Severus exercised his victory with cruelty. He put to death a large number of senators, who had belonged to the party of his unfortunate competitors, and the noblest provincials of Spain and Gaul were involved in the same ruin. His general government, however, was characterised by wisdom and justice. Salutary laws, executed with inflexible firmness, soon corrected most of the abuses with which, since the death of Marcus, every part of the government had been infected. In the administration of justice, the judgments of the emperor were characterised by attention, discernment, and impartiality; and, whenever he deviated from the strict line of equity, it was generally in favour of the poor and oppressed; not so much indeed from any sense of humanity, as from the natural propensity of a despot to humble the pride of greatness, and to sink all his subjects to the same common level of absolute dependence. His expensive taste for building, magnificent shows, and, above all, a constant and liberal distribution of corn and provisions, were the surest means of captivating the affection of the Roman people. The misfortunes of civil discord were obliterated. The calm of peace and prosperity was once more experienced in the provinces. The fame of the Roman arms was revived by this warlike and successful emperor, and he boasted, with a just pride, that, having received the empire oppressed with foreign and domestic wars, he left it established in profound, universal, and honourable peace.

Although the wounds of civil war appeared completely healed, its mortal poison still lurked in the vitals of the constitution. The vanity of his soldiers was flattered with the honour of wearing gold rings;† their ease was indulged in the permission of

* lxxiv. 14.

† The gold ring had been in the later Republic and early Principate one of the marks of equestrian rank. But from the time of Commodus the gift

living with their concubines in the idleness of quarters.* He increased their pay beyond the example of former times, and taught them to expect, and soon to claim, extraordinary donatives on every public occasion of danger or festivity. Elated by



Lucius Septimius Severus.

success, enervated by luxury, and raised above the level of subjects by their dangerous privileges, they soon became incapable of military fatigue, oppressive to the country and impatient of a just subordination.

of the gold ring ceased to denote admission to the order of knights, and became merely a means to the conferring of free birth (*ingenuitas*) on manumitted slaves (Mommsen, *Staatsr.* ii. p. 893). This is the *Jus aureorum anulorum* of the legal writers in the Digest. It was doubtless through its significance as the sign of the free-born man that this adornment came to be usurped by the legionaries.

* Roman soldiers were not allowed to conclude a legal marriage during their period of service. But they were permitted *concubinatus*—in Roman law a monogamic union, and one scarcely less honourable than marriage. Severus allowed them the further privilege of domestic life with the partners whom they had chosen. See P. Meyer, *Der Römische Konkubinat nach den Rechtsquellen und den Inschriften*, and a review of this work in the *English Historical Review*, vol. xi., No. 43, p. 534.

New establishment of the Prætorian guards.

§ 12. The Prætorians, who murdered their emperor and sold the empire, had been disbanded by Severus; but the necessary, though dangerous, institution of guards, was soon restored on a new model by Severus, and increased to four times the ancient number. Formerly these troops had been recruited in Italy; and as the adjacent provinces gradually imbibed the softer manners of Rome, the levies were extended to Macedonia, Noricum, and Spain. In the room of these elegant troops, better adapted to the pomp of courts than to the uses of war, it was established by Severus, that from all the legions of the frontiers the soldiers most distinguished for strength, valour, and fidelity should be occasionally draughted, and promoted, as an honour and reward, into the more eligible service of the guards. By this new institution the Italian youth were diverted from the exercise of arms, and the capital was terrified by the strange aspect and manners of a multitude of barbarians. But Severus flattered himself that the legions would consider these chosen Prætorians as the representatives of the whole military order; and that the present aid of 50,000 men, superior in arms and appointments to any force that could be brought into the field against them, would for ever crush the hopes of rebellion, and secure the empire to himself and his posterity.

The office of Prætorian Præfect.

§ 13. The command of these favoured and formidable troops soon became the first office of the empire. As the government degenerated into military despotism, the Prætorian præfect, who in his origin had been a simple captain of the guards, was placed not only at the head of the army, but of the finances, and even of the law. In every department of administration he represented the person, and exercised the authority, of the emperor.* The first præfect who enjoyed and abused this immense power was Plautianus, the favourite minister of Severus. His reign lasted above ten years (A.D. 194-205), till the marriage of his daughter with the eldest son of the emperor, which seemed to assure his fortune, proved the occasion of his ruin. The animosities of the palace, by irritating the ambition and alarming the fears of Plautianus, threatened to produce a revolution, and obliged the emperor, who still loved him, to consent with reluctance to his death. After the fall of Plautianus, the celebrated Papinian, an eminent lawyer, was appointed to execute the motley office of Prætorian præfect.

New maxims of the Imperial prerogative.

§ 14. Till the reign of Severus the virtue, and even the good sense, of the emperors had been distinguished by their real or affected reverence for the senate, and by a tender regard to the nice frame of civil policy instituted by Augustus. But the youth of Severus had been trained in the implicit obedience of camps, and his riper years spent in the despotism of military command. His haughty and inflexible spirit could not discover, or would not acknowledge, the advantage of preserving an intermediate power, however imaginary, between the emperor and

* See Appendix, note 2, on "The *Præfectus Prætorio*."

the army. He disdained to profess himself the servant of an assembly that detested his person and trembled at his frown; he issued his commands where his request would have proved as effectual; assumed the conduct and style of a sovereign and a conqueror, and exercised, without disguise, the whole legislative as well as the executive power. The fine theory of a republic insensibly vanished, and made way for the more natural and substantial feelings of monarchy. The lawyers and the historians concurred in teaching that the Imperial authority was held, not by the delegated commission, but by the irrevocable resignation of the senate;* that the emperor was freed from the restraint of civil laws, could command, by his arbitrary will, the lives and fortunes of his subjects, and might dispose of the empire as of his private patrimony. The most eminent of the civil lawyers, and particularly Papinian, Paulus, and Ulpian, flourished under the house of Severus; and the Roman jurisprudence, having closely united itself with the system of monarchy, was supposed to have attained its full maturity and perfection.

The contemporaries of Severus, in the enjoyment of the peace and glory of his reign, forgave the cruelties by which it had been introduced. Posterity, who experienced the fatal effects of his maxims and example, justly considered him as the principal author of the decline of the Roman empire.

Julia Domna, the wife of Severus: their two sons, Caracalla and Geta.

§ 15. The wife of Severus was Julia Domna, a native of Emesa in Syria. She possessed, even in her advanced age, the attractions of beauty, and united to a lively imagination a firmness of mind and strength of judgment seldom bestowed on her sex. Her amiable qualities never made any deep impression on the dark and jealous temper of her husband; but, in her son's reign, she administered the principal affairs of the empire with a prudence that supported his authority, and with a moderation that sometimes corrected his wild extravagances. Julia applied herself to letters and philosophy with some success and with the most splendid reputation. She was the patroness of every art, and the friend of every man of genius.

Two sons, Caracalla† and Geta, were the fruit of this marriage, and the destined heirs of the empire. The fond hopes of the father, and of the Roman world, were soon disappointed by these vain youths, who displayed the indolent security of hereditary princes, and a presumption that fortune would supply the place of merit and application. Without any emulation of virtue or talents, they discovered, almost from their infancy, a fixed and implacable antipathy for each other. The unhappy discord of his sons clouded all the prospects of Severus, and

* See p. 22, on the powers conferred on the emperor and the passages there cited from Gaius and Ulpian.

† His original name was Bassianus. At the close of A.D. 196 he was proclaimed Cæsar at the age of eight with the title of M. Aurelius Antoninus. Caracalla was a nickname derived from a hooded cloak of Gallic origin which he wore himself and introduced into the army.

threatened to overturn a throne raised with so much labour, cemented with so much blood, and guarded with every defence of arms and treasure. With an impartial hand he maintained between them an exact balance of favour, conferred on both the rank of Augustus, with the revered name of Antoninus ; * and for the first time the Roman world beheld three emperors.

§ 16. In these circumstances the intelligence of a war in Britain, and of an invasion of the province by the barbarians of the North, was received with pleasure by Severus. He resolved to embrace the honourable pretext of withdrawing his sons from the luxury of Rome, which enervated their minds and irritated their passions ; and of inuring their youth to the toils of war and government. Notwithstanding his advanced age (for he was above threescore), and his gout, which obliged him to be carried in a litter, he transported himself in person into that remote island, attended by his two sons, his whole court, and a formidable army (A.D. 208). He immediately passed the walls of Hadrian and Antoninus, and entered the country of the Caledonians, who were compelled to submit to his arms. But as soon as the Roman legions had retired, they resumed their hostile independence. Severus was preparing to send a new army into Caledonia with orders not to subdue but to extirpate the natives. They were saved by the death of their haughty enemy. Severus expired at York in the 65th year of his age, and in the 18th of a glorious and successful reign (A.D. 211).

Severus goes into Britain : his death.

* Caracalla was proclaimed Augustus in A.D. 198 ; Geta was created Cæsar in that year, and Augustus in A.D. 209. See Appendix, note 3, on "The Titles *Augustus* and *Cæsar*."

Septimius Severus, Caracalla, and Geta, crowned by Victories. (Cameo No. 250, in "Cabinet de France.")

[Schiller, *Geschichte der Römischen Kaiserzeit*, II. iii. § 69, and iv. §§ 71-73; Ranke, *Weltgeschichte*, III. i. c. 11; Zurcher (J.), *Commodus, ein Beitrag zur Kritik des Historien Herodians* (Bk. I. p. 221, *der Untersuchungen zur Römischen Kaisergeschichte herausg.* von Max Büdinger); Hundertmark, *De Imperatore Pertinace;* Ceuleneer (de), *Essai sur la vie de Septime Sévère* (in *Mémoires de l'Académie royale de Belgique*, tom. xliii.); Hirschfeld, *Decimus Clodius Albinus* in *Historische Zeitschrift*, 43, 3 (1897)].

# APPENDIX.

## NOTE 1 (§ 2).—*DELATORES.*

*Delatores* was the name given to individuals who made a profession of criminal and fiscal information to the State, or of public prosecution. The name itself is post-Augustan, though the origin of the class dates back to Republican times, and may be traced to the absence of a system of State prosecution and to the theory that the duty of defending society and the republic should rest with private citizens. But the activity of the class first became a terror to the Roman world during the empire. The Augustan legislation which was directed to the reformation of private life—especially the marriage laws, known as the *lex Julia de maritandis ordinibus* and the *lex Papia Poppæa*, which made the infringement of their enactments benefit the Imperial treasury, and offered rewards for the discovery of offenders—together with the ever-expanding law of treason (*majestas*) which was strongest under the weakest emperors, fostered the growth of this order of litigants. Prosecution in one's own interest or in that of one's family was never looked on with disfavour at Rome. It was the acquisition of influence or wealth through preying on the danger and terror of his fellow citizens that branded a man as a *delator*. The material reward given to the successful prosecutor for treason was generally one quarter of the property of the condemned (Tacitus, *Annals*, iv. 20). The opprobrious title *quadruplator* sometimes applied to the *delator*—a title which dates from an early period of the republic—was derived from the similar share of one-fourth of the fine imposed on the condemned, which fell to the successful prosecutor.

[Rein, *Criminalrecht*, pp. 817-820; Merivale, *Hist. of the Romans under the Empire*, ch. lxii.]

## NOTE 2 (§ 13)—"THE *PRÆFECTUS PRÆTORIO.*"

The growing importance of the office of the *præfectus prætorio* was not merely a sign of the increasingly military character of the despotism. Military its basis had ever been; the second of the Cæsars had in Sejanus one of the most formidable of those præfects who were almost partners on the throne, and Vespasian recognised that his best security was to confer this præfecture on his own son Titus. It was rather the growing disregard of the theory of constitutional sovereignty, the neglect of the Senate as one of the channels of administration and as the ordinary source of law, and the long absences of the emperors from Rome that made the greatness of this office. From the time at least of the emperor Hadrian the præfects of the prætorian guard are considered the first individuals next to the emperor. The præfect was, from the nature of his function, the official who was nearest to the monarch; he was trusted because he was feared, and the execution of the emperor's most important commands required a man of something more than military capacity. This *alter ego* of the emperor was the medium for

executing rapidly issued injunctions for army organisation, and for the guidance of the civil service. Jurisdiction, the most constant of the emperor's burdens, and the framing of decrees, not unnaturally fell to his share, and hence the office, without losing its ostensibly military aspect, assumed more and more of a civil character. This change, which began under Marcus Aurelius and Commodus, was finally achieved after the time of Septimius Severus; henceforth we find the first jurists of the empire—Papinian, Ulpian, and Paulus—filling the præfecture. It was probably about this period—the end of the second and beginning of the third century A.D.—that the constantly delegated jurisdiction of the emperor resulted in the præfect's becoming the Supreme Court of Appeal, in matters both civil and criminal, for the provincial world. The growth of his power ran parallel to that of the Imperial council (*consilium*) of legal advisers, of which the præfects were the presidents; and the importance of both presidents and council, originating with Hadrian, was due to that personal centralisation of authority, which the necessities of the defence of the empire had made independent, of a fixed constitution and even of a fixed capital.

[Mommsen, *Staatsrecht*, ii. pp. 1114–1122; a list of the *præfecti prætorio* to the time of Diocletian is contained in Hirschfeld's *Untersuchungen auf dem Gebicte der Römischen Verwaltungsgeschichte*, pp. 219–239.]

## NOTE 3 (§ 15).—"THE TITLES AUGUSTUS AND CÆSAR."

*Augustus*, although in the list of the emperor's names it occupies the place of a *cognomen*, was never regarded as a family designation. It was a name of honour, expressing the sanctified majesty of the *princeps* (Λῴγουστος ὡς καὶ πλεῖόν τι ἢ κατὰ ἀνθρώπους ὢν ἐπεκλήθη, Dio Cassius, liii. 16); it was not borne even by his colleague in the *proconsulare imperium* and *tribunicia potestas*, and hence connoted, as no other title did, the unique elevation of the actual sovereign above his co-regent (*consors* or *particeps imperii*). The institution of *duo Augusti* in 161 A.D. was thus a convincing proof that the sovereignty was really divided.

*Cæsar* was originally the inherited cognomen of that branch of the Julia gens which had secured the throne. This family designation was transmitted by legitimate descent or adoption to the dynasty which closed with the death of Caligula. The family of the Cæsars then died out, though the name continued to be borne by the relatives of that family, Claudius and Nero, who subsequently occupied the throne. Galba was the first *princeps* wholly unconnected with the Julian house; the name Cæsar, as borne by him and his successors, was simply the assertion of a fictitious dynastic claim to rule, and perhaps to inherit the crown property which followed the succession (Karlowa, *Romische Rechtsgeschichte*, p. 508). It was a name shared by the ruling *princeps* with his sons and grandsons.

With Hadrian's reign begins a limitation of the use of the name. It is now borne only by the presumptive successor to the throne (*Vita L. Veri*, 2). The choice of its bearer was made by the reigning emperor, although it might be suggested by the Senate (Mommsen, *Staatsrecht*, ii. p. 1140); and the recognition of this right of designation was an important modification of the elective character of the monarchy. After the beginning of the third century the name appears as *nobilissimus Cæsar*, Geta being the first prince so designated.

On the recognition of the dual monarchy the possibility of the existence of *two* Cæsars accompanied that of the two Augusti.

[Karlowa, *Römische Rechtsgeschichte*, pp. 508, 509; Willems, *Le droit public Romain*, pp. 408, 423; Mommsen, *Staatsrecht*, ii. pp. 771, 1139.]

Caracalla.

## CHAPTER III.

### REIGNS OF CARACALLA, MACRINUS, ELAGABALUS, AND SEVERUS ALEXANDER.

§ 1. Accession of CARACALLA and GETA: Murder of Geta. § 2. Remorse and cruelty of Caracalla: death of Papinian. § 3. Assassination of Caracalla. § 4. Edict of Caracalla. § 5. Accession of MACRINUS: he attempts to reform the army. § 6. Revolt of Elagabalus: death of Macrinus: ELAGABALUS Emperor. § 7. Picture of Elagabalus: his superstition and profligacy: his murder by the troops. § 8. Accession of SEVERUS ALEXANDER: wise administration of his mother Mamæa: character of Alexander. § 9. State of the army: death of Ulpian: the historian Dio Cassius. § 10. The Persian monarchy restored by Artaxerxes. § 11. Recapitulation of the war between the Parthian and Roman Empires. § 12. War between the Persians and Alexander. § 13. Murder of Severus Alexander.

Accession of CARACALLA and GETA: murder of Geta.

§ 1. SEVERUS in his last moments had recommended concord to his sons, and his sons to the army. The salutary advice never reached the heart, or even the understanding, of the impetuous youths; but the more obedient troops resisted the

solicitations of Caracalla, and proclaimed both brothers emperors of Rome. The new princes soon left the Caledonians in peace, returned to the capital, and were cheerfully acknowledged as lawful sovereigns by the senate, the people, and the provinces. Some pre-eminence of rank seems to have been allowed to the elder brother; but they both administered the empire with equal and independent power. Such a divided form of government would have proved a source of discord between the most affectionate brothers. It was impossible that it could long subsist between two implacable enemies, who neither desired nor could trust a reconciliation. On their return to Rome their mother endeavoured to effect a peaceful settlement of their differences; but while they were conversing in her apartment, some centurions, who had contrived to conceal themselves, rushed with drawn swords upon the unfortunate Geta. His distracted mother strove to protect him in her arms; but, in the unavailing struggle, she was wounded in the hand, and covered with the blood of her younger son, while she saw the elder animating and assisting the fury of the assassins (Feb. 27, A.D. 212). To secure the support of the soldiers, Caracalla distributed in one lavish donative the accumulated treasures of his father's reign.

Remorse and cruelty of Caracalla: death of Papinian.

§ 2. The crime went not unpunished. Neither business, nor pleasure, nor flattery, could defend Caracalla from the stings of a guilty conscience; and he confessed, in the anguish of a tortured mind, that his disordered fancy often beheld the angry forms of his father and his brother rising into life to threaten and upbraid him. The consciousness of his crime should have induced him to convince mankind, by the virtues of his reign, that the bloody deed had been the involuntary effect of fatal necessity. But the repentance of Caracalla only prompted him to remove from the world whatever could remind him of his guilt, or recall the memory of his murdered brother. It was computed that, under the vague appellation of the friends of Geta, above twenty thousand persons of both sexes suffered death. Among the victims of his cruelty was the celebrated Papinian, the Prætorian præfect under Severus. After the murder of Geta, Papinian was commanded to exert the powers of his skill and eloquence in a studied apology for that atrocious deed. "That it was easier to commit than to justify a parricide," was the glorious reply of Papinian, who did not hesitate between the loss of life and that of honour. Such intrepid virtue, which had escaped pure and unsullied from the intrigues of courts, the habits of business, and the arts of his profession, reflects more lustre on the memory of Papinian than all his great employments, his numerous writings, and the superior reputation as a lawyer which he has preserved through every age of the Roman jurisprudence.

Assassination of Caracalla.

§ 3. The tyranny of Tiberius, Nero, and Domitian, who resided almost constantly at Rome or in the adjacent villas, was confined to the senatorial and equestrian orders. But

Caracalla was the common enemy of mankind. He left the capital (and he never returned to it) about a year after the murder of Geta. The rest of his reign was spent in the several provinces of the empire, particularly those of the East, and every province was, by turns, the scene of his rapine and cruelty. In the midst of peace, and upon the slighest provocation, he issued his commands at Alexandria, in Egypt, for a general massacre. From a secure post in the temple of Serapis, he viewed and directed the slaughter of many thousand citizens, as well as strangers, without distinguishing either the number or the crime of the sufferers; since, as he coolly informed the senate, *all* the Alexandrians, those who had perished, and those who had escaped, were alike guilty. Caracalla, however, took care to secure the affections of the army. He increased their pay, encouraged their insolent familiarity, and affected to imitate the dress and manners of a common soldier. As long as his vices were beneficial to his armies he was secure from the danger of rebellion. A secret conspiracy, provoked by his own jealousy, was fatal to the tyrant. The Prætorian præfecture was divided between two ministers. The military department was intrusted to Adventus, an experienced rather than an able soldier; and the civil affairs were transacted by Opellius Macrinus, who, by his dexterity in business, had raised himself, with a fair character, to that high office.* An African soothsayer had predicted that Macrinus and his son were destined to reign over the empire. The report was soon diffused through the province; and when the man was sent in chains to Rome, he still asserted, in the presence of the præfect of the city, the faith in his prophecy. That magistrate, who had received the most pressing instructions to inform himself of the *successors* of Caracalla, immediately communicated the examination of the African to the Imperial court, which at that time resided in Syria. The emperor received the letters from Rome; and, as he was then engaged in the conduct of a chariot-race, he delivered them unopened to the Prætorian præfect, directing him to despatch the ordinary affairs, and to report the more important business that might be contained in them. Macrinus read his fate and resolved to prevent it. He inflamed the discontents of some inferior officers, and employed the hand of Martialis, a desperate soldier, who had been refused the rank of centurion. The devotion of Caracalla prompted him to make a pilgrimage from Edessa to the celebrated temple of the Moon at Carrhæ. He was murdered upon the road by Martialis (April 8, A.D. 217). Such was the end of a monster whose life disgraced human nature, and whose reign accused the patience of the Romans.

* M. Opellius Macrinus [Opellius, not Opilius, being the constant epigraphic form (Hirschfeld, *Untersuchungen*, pp. 231, 232; Dessau, *Prosopographia*, ii. p. 433)] and Oclatinus Adventus.

§ 4. One important event in the reign of Caracalla must not be passed over in silence. An edict of this emperor communicated to all the free inhabitants of the empire the name and privileges of Roman citizens.* His liberality flowed not, however, from the sentiments of a generous mind; he found himself under the necessity of gratifying the insatiable avarice which he had excited in the army, and he granted a worthless privilege in order to extort a large revenue. Augustus had imposed upon Roman citizens a tax of five per cent. on legacies and inheritances.† This tax was one of the most productive in the empire, and Caracalla therefore compelled the reluctant provincials to assume the vain title and the real obligations of Roman citizens. Nor was the rapacious son of Severus contented with such a measure as had appeared sufficient to his moderate predecessors. Instead of a twentieth he exacted a tenth of legacies and inheritances; and during his reign (for the ancient proportion was restored after his death) he crushed alike every part of the empire under the weight of his iron sceptre.

Edict of Caracalla.

§ 5. After the extinction of the house of Severus, the Roman world remained three days without a master (April 8–11). The troops with some reluctance proclaimed Macrinus emperor, for they despised his military talents and suspected his personal courage. The senate of course ratified the choice of the army; but they were indignant that a man of equestrian rank should dare to invest himself with the purple, instead of bestowing it on some distinguished senator,‡ equal in birth and dignity to the splendour of the Imperial station. Macrinus might have despised the murmurs of the senate, if he had possessed the affections of the army. To alienate the soldiers, and to provoke inevitable ruin, the character of a reformer was only wanting; and such was the peculiar hardship of his fate, that Macrinus was compelled to exercise that invidious office. The prodigality of Caracalla had left behind it a long train of ruin and disorder; and if that worthless tyrant had been capable of reflecting on the sure consequences of his own conduct, he would perhaps have enjoyed the dark prospect of the distress and calamities which he bequeathed to his successors. In the management of this necessary reformation, Macrinus proceeded with prudence. To the soldiers already engaged in the service he was constrained to leave the dangerous privileges and extravagant pay given by

Accession of MACRINUS: he attempts to reform the army.

* Accidental as this conferment of citizenship was, its result was almost a revolution in the business life of the eastern provinces. Here the local Hellenic law had been preserved, in spite of the edicts of Roman magistrates; and the *constitutio Antoniniana* created a demand for a uniform Roman system and a legal unity which was finally, although with difficulty, realised (Mitteis, *Reichsrecht und Volksrecht*).

† See Appendix, note 1, on "The *Vicesima Hereditatum*."

‡ In accordance with the custom of fictitiously perpetuating the name of a dynasty, even this middle-class emperor assumed the name of Severus, and appears during his short reign as M. Opellius Severus Macrinus, while his son Diadumenianus was given the name of Antoninus.

Caracalla; but the new recruits were received on the more moderate though liberal establishment of Severus, and gradually formed to modesty and obedience. One fatal error destroyed the salutary effects of this judicious plan. The numerous army assembled in the East by the late emperor, instead of being immediately dispersed by Macrinus through the several provinces, was suffered to remain united in Syria during the winter that followed his elevation. In the luxurious idleness of their quarters, the troops viewed their strength and numbers, communicated their complaints, and revolved in their minds the advantages of another revolution. The murmurs of the army swelled with impunity into seditious clamours; and the partial mutinies betrayed a spirit of discontent and disaffection that waited only for the slightest occasion to break out on every side into a general rebellion. To minds thus disposed the occasion soon presented itself.

Revolt of Elagabalus: death of Macrinus: ELAGABALUS Emperor.

§ 6. The empress Julia had descended with a painful struggle into the condition of a subject, and soon withdrew herself, by a voluntary death, from the anxious and humiliating dependence. Julia Mæsa, her sister, was ordered to leave the court and Antioch. She retired to Emesa with an immense fortune, the fruit of twenty years' favour, accompanied by her two daughters, Soæmias and Mamæa, each of whom was a widow, and each had an only son. Bassianus, for that was the name of the son of Soæmias, was consecrated to the honourable ministry of high priest of the Sun,* and this holy vocation, embraced either from prudence or superstition, contributed to raise the Syrian youth to the empire of Rome. A numerous body of troops was stationed at Emesa. The soldiers, who resorted in crowds to the temple of the Sun, beheld with veneration and delight the elegant dress and figure of the young pontiff; they recognised, or they thought that they recognised, the features of Caracalla, whose memory they now adored. The artful Mæsa saw and cherished their rising partiality, and readily sacrificing her daughter's reputation to the fortune of her grandson, she insinuated that Bassianus was the natural son of their murdered sovereign. The sums distributed by her emissaries with a lavish hand silenced every objection. The young Antoninus (for he had assumed and polluted that respectable name) was declared emperor by the troops of Emesa (April 16, A.D. 218), asserted his hereditary right, and called aloud on the armies to follow the standard of a young and liberal prince, who had taken up arms to revenge his father's death and the oppression of the military order. His cause was rapidly espoused by the camps and garrisons of Syria, and he soon found himself at the head of a formidable body of troops.

* The priests of the Sun at Emesa had been sovereigns of Emesa at least as late as the time of Vespasian. After the suppression of the monarchy the priesthood still continued hereditary.

At length Macrinus marched out of Antioch, to meet the increasing and zealous army of the young pretender. In the heat of the battle Macrinus betrayed his own cause by a shameful and precipitate flight. His cowardice served only to protract his life a few days, and to stamp deserved ignominy on his misfortunes. His son Diadumenianus, upon whom he had conferred the Imperial title,* was involved in the same fate (July, A.D. 218). The contending parties of the Roman army united under the banners of the imagined son of Caracalla, and the East acknowledged with pleasure the first emperor of Asiatic extraction.

Picture of Elagabalus: his superstition and profligacy: his murder by the troops.

§ 7. The new emperor wasted many months in his luxurious progress from Syria to Italy, passed at Nicomedia his first winter after his victory, and deferred till the ensuing summer his triumphal entry into the capital. A faithful picture, however, which preceded his arrival, and was placed by his immediate order over the altar of Victory in the senate-house, conveyed to the Romans a just but unworthy resemblance of his person and manners. He was drawn in his sacerdotal robes of silk and gold, after the loose flowing fashion of the Medes and Phœnicians; his head was covered with a lofty tiara, his numerous collars and bracelets were adorned with gems of an inestimable value. His eyebrows were tinged with black, and his cheeks painted with an artificial red and white. The grave senators confessed with a sigh, that, after having long experienced the stern tyranny of their own countrymen, Rome was at length humbled beneath the effeminate luxury of Oriental despotism.

The Sun was worshipped at Emesa, under the name of Elagabalus, and under the form of a black conical stone, which, as it was universally believed, had fallen from heaven on that sacred place.† To this protecting deity, Antoninus, not without some reason, ascribed his elevation to the throne. The display of superstitious gratitude was the *only* serious business of his reign. The triumph of the god of Emesa over all the religions of the earth was the great object of his zeal and vanity; and the appellation of Elagabalus (for he presumed as pontiff and favourite to adopt that sacred name) was dearer to him than all the titles of Imperial greatness. In a solemn procession through the streets of Rome the way was strewed with gold-dust; the black stone, set in precious gems, was placed on a

* Diadumenianus was made Cæsar in A.D. 217, Augustus early in A.D. 218.

† The Aramaic form of Elagabalus (sometimes written by false analogy "Heliogabalus") was *elah-gabal*, *i.e.* the "God Gabal." He was the ancient Accadian fire-god, whose name and worship were adopted by the Semitic Babylonians, and spread to Syria. He was not unnaturally identified with the Sun. See F. Lenormant in Daremberg and Saglio's *Dictionnaire des Antiquités*, *s.v.* "Elagabalus," and in *La magie chez les Chaldéens*.

chariot drawn by six milk-white horses richly caparisoned. In a magnificent temple raised on the Palatine Mount, the sacrifices of the god Elagabalus were celebrated with every circumstance of cost and solemnity. To this temple, as to the common centre of religious worship, the Imperial fanatic attempted to remove the Ancilia, the Palladium, and all the sacred pledges of the faith of Numa.

The young emperor, corrupted by his youth, his country, and his fortune, abandoned himself to the grossest pleasures with ungoverned fury, and soon found disgust and satiety in the midst of his enjoyments. To confound the order of seasons and climates, to sport with the passions and prejudices of his subjects, and to subvert every law of nature and decency, were in the number of his most delicious amusements. Even the licentious soldiers, who had raised him to the throne, blushed at their ignominious choice, and turned with disgust from that monster to contemplate with pleasure the opening virtues of his cousin Alexander, the son of Mamæa. The crafty Mæsa

Elagabalus.

sensible that her grandson Elagabalus must inevitably destroy himself by his own vices, had provided another and surer support of her family. She had persuaded the young emperor to adopt Alexander and to invest him with the title of Cæsar (A.D. 221), that his own divine occupations might be no longer interrupted by the care of the earth. In the second rank that amiable prince soon acquired the affections of the soldiers, and excited the tyrant's jealousy. The report of the death of Alexander, and the natural suspicion that he had been murdered, inflamed the passions of the soldiers into fury, and the tempest of the camp could only be appeased by the presence and authority of the popular youth. Provoked at this instance of their affection for his cousin, and their contempt for his person, the emperor ventured to punish some of the leaders of the mutiny. His unseasonable severity proved instantly fatal to his minions, his mother, and himself. Elagabalus was massacred by the indignant Prætorians, his mutilated corpse dragged through the streets of the city and thrown into the Tiber (March 11, A.D. 222). His memory was branded with eternal infamy by the senate, the justice of whose decree has been ratified by posterity.

Accession of SEVERUS ALEXANDER: wise administration of his mother Mamæa: character of Alexander.

§ 8. In the room of Elagabalus his cousin Alexander was raised to the throne by the Prætorian guards. His relation to the family of Severus, whose name he assumed,* was the same as that of his predecessor; his virtue and his danger had already endeared him to the Romans, and the eager liberality of the senate conferred upon him in one day the various titles and powers of the Imperial dignity. But as Alexander was a modest and dutiful youth of only seventeen years of age, the reins of government were in the hands of two women, of his mother Mamæa, and of Mæsa, his grandmother. After the death of the latter, who survived but a short time the elevation of Alexander, Mamæa remained the sole regent of her son and of the empire. The general tenor of her administration was equally for the benefit of both. With the approbation of the senate she chose sixteen of the wisest and most virtuous senators as a perpetual council of state, before whom every public business of moment was debated and determined.† The celebrated Ulpian, equally distinguished by his knowledge of, and his respect for, the laws of Rome, was at their head; and the prudent firmness of this aristocracy restored order and authority to the government.

Alexander himself was distinguished by his love of learning, by his virtues, and by his laborious attention to the duties of his high office. The simple journal of his ordinary occupations exhibits a pleasing picture of an accomplished emperor. Alexander rose early; the first moments of the day were consecrated to private devotion, and his domestic chapel was filled with the images of those heroes who, by improving or reforming human life, had deserved the grateful reverence of posterity.‡ The greatest part of his morning hours was employed in his council, where he discussed public affairs, and determined private causes, with a patience and discretion above his years. The dryness of business was relieved by the charms of literature; and a portion of time was always set apart for his favourite studies of poetry, history, and philosophy. The works of Virgil and Horace, the Republics of Plato and Cicero, formed his taste, enlarged his understanding, and gave him the noblest ideas of man and government. The exercises of the body succeeded to those of the mind; and Alexander, who was tall, active, and robust, surpassed most of his equals in the

* His full name was M. Aurellius (*or* Aurelius) Severus Alexander. The ordinary description of him as Alexander Severus wrongly reverses the true order of the names.

† This body must not be confused with the Imperial council (*consilium*) which gradually became the consistory (c. vii. § 8). It bears more resemblance to a board which had existed under Augustus and Tiberius, but which was subsequently discontinued; this board, composed of some of the magistrates and a number of senators chosen by lot, had given a preliminary consideration to business, afterwards submitted to the senate. See Karlowa, *Römische Rechtsgeschichte*, i. p. 523.

‡ Compare ch. ix. § 7.

gymnastic arts. Refreshed by the use of the bath and a slight dinner, he resumed, with new vigour, the business of the day; and, till the hour of supper, the principal meal of the Romans, he was attended by his secretaries, with whom he read and answered the multitude of letters, memorials, and petitions, that must have been addressed to the master of the greatest part of the world. His table was served with the most frugal simplicity; and whenever he was at liberty to consult his own inclination, the company consisted of a few select friends, men of learning and virtue, amongst whom Ulpian was constantly invited. Their conversation was familiar and instructive; and the pauses were occasionally enlivened by the recital of some pleasing composition, which supplied the place of the dancers, comedians, and even gladiators, so frequently summoned to the tables of the rich and luxurious Romans.

State of the army: death of Ulpian: the historian Dio Cassius.

§ 9. Since the accession of Commodus the Roman world had experienced, during the term of 40 years, the successive and various vices of four tyrants. From the death of Elagabalus it enjoyed an auspicious calm of 13 years. But the state of the army still excited the liveliest apprehension. The long licence in which they had been indulged rendered them impatient of the restraints of discipline, and careless of the blessings of public tranquillity. A reformation was absolutely necessary for the safety of the state; and Alexander laboured by the most gentle arts to inspire the fierce multitude with a sense of duty, and to restore at least a faint image of that discipline to which the Romans owed their empire over so many other nations as warlike as and more powerful than themselves. But his prudence was vain, and the attempt towards a reformation served only to inflame the ills it was meant to cure. His abilities were inadequate to the difficulties of his situation; and his virtues, as well as the vices of Elagabalus, contracted a tincture of weakness and effeminacy from the soft climate of Syria, of which he was a native. He was obliged to sacrifice to the fury of the guards their præfect Ulpian, the friend of the laws and the people, whom the soldiers regarded as their enemy, and to whose pernicious counsels they imputed every scheme of reformation. The tyranny of the army threatened with instant death the most faithful ministers who were suspected of an intention to arrest their intolerable disorders. The historian Dio Cassius had commanded the Pannonian legions with the spirit of ancient discipline. Their brethren of Rome, embracing the common cause of military licence, demanded the head of the reformer. But in this instance Alexander, instead of yielding to their seditious clamours, appointed him his colleague in the consulship (A.D. 228); but, apprehensive of the wrath of the soldiers, he retired, by the emperor's advice, from the city, and spent the greatest part of his consulship in Campania.

The Persian monarchy restored by Artaxerxes.

§ 10. In the fifth year of the reign of Severus Alexander (A.D. 227) an important revolution occurred in Asia, which exercised

a fatal influence upon the declining empire of Rome. In this year the formidable power of the Parthians, which spread from India to the frontiers of Syria, was subverted by Ardashir, or Artaxerxes, the founder of a new dynasty, which, under the name of Sasanidæ, governed Persia till the invasion of the Arabs.* Artaxerxes had served with great reputation in the armies of Artabanus, the last king of the Parthians, and it appears that he was driven into exile and rebellion by royal ingratitude, the customary reward for superior merit. His birth was obscure; but he claimed to be descended from a branch of the ancient kings of Persia, and as the lineal heir of the monarchy he asserted his right to the throne. The Parthians were defeated in three great battles. In the last of these their king, Artabanus, was slain, and the spirit of the nation was for ever broken. The authority of Artaxerxes was solemnly acknowledged in a great assembly held at Balch in Khorasan. He restored the Magian religion in its ancient splendour, and prohibited the exercise of every worship except that of Zoroaster. At the head of a numerous and disciplined army, he visited in person every province of Persia. The defeat of the boldest rebels, and the reduction of the strongest fortifications, diffused the terror of his arms, and prepared the way for the peaceful reception of his authority. An obstinate resistance was fatal to the chiefs; but their followers were treated with lenity. A cheerful submission was rewarded with honours and riches. His kingdom was on every side bounded by the sea, or by great rivers,—by the Euphrates, the Tigris, the Araxes, the Oxus, and the Indus; by the Caspian Sea and the Gulf of Persia.

Recapitulation of the war between the Parthian and Roman Empires.

§ 11. As soon as the ambitious mind of Artaxerxes had triumphed over the resistance of his vassals, he began to threaten the neighbouring states, who, during the long slumber of his predecessors, had insulted Persia with impunity. He obtained some easy victories over the wild Scythians and the effeminate Indians; but the Romans were an enemy who, by their past injuries and present power, deserved the utmost efforts of his arms. A forty years' tranquillity, the fruit of valour and moderation, had succeeded the victories of Trajan. During the period that elapsed from the accession of Marcus to the reign of Alexander, the Roman and the Parthian empires were twice engaged in war; and although the whole strength of the Arsacidæ contended with a part only of the forces of Rome, the event was most commonly in favour of the latter. Macrinus, indeed, prompted by his precarious situation and pusillanimous temper, purchased a peace at the expense of more than a million of our money,† but the generals of Marcus, the emperor Severus, and his son, erected many trophies in Armenia, Mesopotamia, and Assyria. Among their exploits, the imperfect relation of which would have unseasonably interrupted the more important

* See Appendix, note 2, on "The Rise of the *Sasanidæ*."

† Fifty million *drachmæ* (Dio Cassius, lxxviii. 27).

series of domestic revolutions, we shall only mention the repeated calamities of the two great cities of Seleucia and Ctesiphon.

Seleucia, on the western bank of the Tigris, about 45 miles to the north of ancient Babylon, was the capital of the Macedonian conquests in Upper Asia. Many ages after the fall of their empire, Seleucia retained the general characters of a Grecian colony—arts, military virtue, and the love of freedom. Ctesiphon had been founded by the Parthians on the eastern bank of the Tigris, at the distance of only three miles from Seleucia. Under the reign of Marcus, the Roman generals penetrated as far as Ctesiphon and Seleucia. They were received as friends by the Greek colony; they attacked as enemies the seat of the Parthian kings; yet both cities experienced the same treatment (A.D. 164). The sack and conflagration of Seleucia, with the massacre of 300,000 of the inhabitants, tarnished the glory of the Roman triumph. Seleucia, already exhausted by the neighbourhood of a too powerful rival, sunk under the fatal blow; but Ctesiphon, in about 33 years, had sufficiently recovered its strength to maintain an obstinate siege against the emperor Severus (A.D. 198). The city was, however, taken by assault; the king, who defended it in person, escaped with precipitation; an hundred thousand captives and a rich booty rewarded the fatigues of the Roman soldiers. Notwithstanding these misfortunes, Ctesiphon succeeded to Babylon and to Seleucia as one of the great capitals of the East.

From these successful inroads the Romans derived no real or lasting benefit; nor did they attempt to preserve such distant conquests, separated from the provinces of the empire by a large tract of intermediate desert. The reduction of the kingdom of Osroene was an acquisition of less splendour indeed, but of a far more solid advantage. That little state occupied the northern and most fertile part of Mesopotamia, between the Euphrates and the Tigris. Edessa, its capital, was situated about 20 miles beyond the former of those rivers, and the inhabitants, since the time of Alexander, were a mixed race of Greeks, Arabs, Syrians, and Armenians. The feeble sovereigns of Osroene, placed on the dangerous verge of two contending empires, were attached from inclination to the Parthian cause; but the superior power of Rome exacted from them a reluctant homage, which is still attested by their coins. After the conclusion of the Parthian war under Marcus, it was judged prudent to secure some substantial pledges of their doubtful fidelity. Forts were constructed in several parts of the country, and a Roman garrison was fixed in the strong town of Nisibis. During the troubles that followed the death of Commodus, the princes of Osroene attempted to shake off the yoke; but the stern policy of Severus confirmed their dependence, and the perfidy of Caracalla completed the easy conquest. Abgarus, the last king of Edessa, was sent in chains to Rome, his dominions

reduced into a province, and his capital dignified with the rank of colony (A.D. 216); and thus the Romans, about ten years before the fall of the Parthian monarchy, obtained a firm and permanent establishment beyond the Euphrates.*

War between the Persians and Alexander.

§ 12. Prudence as well as glory might have justified a war on the side of Artaxerxes, had his views been confined to the defence or the acquisition of a useful frontier. But the ambitious Persian openly avowed a far more extensive design of conquest; he claimed all the dominions which had belonged to Cyrus, the founder of the Persian monarchy, and sent an embassy to Alexander commanding the Romans instantly to depart from all the provinces of his ancestors, and, yielding to the Persians the empire of Asia, to content themselves with the undisturbed possession of Europe. The war which followed (A.D. 231–233) is differently related.† Although Alexander, in an oration delivered to the senate, claimed a brilliant victory over the Persians, he appears in reality to have obtained no advantage over the enemy, and to have led back to Antioch an army diminished by sickness, and provoked by disappointment. But at the same time the Persian monarch had lost the flower of his troops, in several obstinate engagements against the veteran legions of Rome. Even his victories had weakened his power. The favourable opportunities of the absence of Alexander, and of the confusions that followed that emperor's death, presented themselves in vain to his ambition. Instead of expelling the Romans, as he pretended, from the continent of Asia, he found himself unable to wrest from their hands the little province of Mesopotamia.

The reign of Artaxerxes, which from the last defeat of the Parthians lasted only fourteen years, forms a memorable æra in the history of the East, and even in that of Rome. His character seems to have been marked by those bold and commanding features that generally distinguish the princes who conquer, from those who inherit, an empire. Till the last period of the Persian monarchy his code of laws was respected as the groundwork of their civil and religious policy. He bequeathed his new empire and his ambitious designs against the Romans to Sapor, a son not unworthy of his great father; but those designs were too extensive for the power of Persia, and served only to involve both nations in a long series of destructive wars and reciprocal calamities.

Murder of Severus Alexander.

§ 13. The unsuccessful event of the Persian wars had degraded

* See Appendix, note 3, on "Abgarus of Edessa."

† Herodian describes Alexander's expedition as a failure: the *Vita Alexandri* (c. 55) as a success. Rawlinson (*Seventh Oriental Monarchy*, p. 37) leans to Herodian's account. Alexander had distributed his army of invasion into three divisions. The southern army was, according to Herodian (vi. 5), destroyed; the northern had succumbed to the effects of climate; the main army—that led by Alexander himself—was comparatively intact, but had been decimated by sickness.

the military reputation of Alexander and inflamed the discontent of the soldiers. Maximin, a soldier of fortune, who had risen from the condition of a Thracian peasant to the highest commands in the army, turned the discontent of the soldiers to his own advantage. His emissaries upbraided the troops for supporting with ignominious patience during thirteen years the vexatious discipline imposed by an effeminate Syrian, the timid slave of his mother and the senate. It was time, they said, to cast away that useless phantom of the civil power, and to elect for their prince and general a real soldier, educated in camps, exercised in war, who would assert the glory and distribute among his companions the treasures of the empire. A great army was at that time assembled on the banks of the Rhine, under the command of the emperor himself, who, almost immediately after his return from the Persian war, had been obliged to march against the barbarians of Germany. The important care of training and reviewing the new levies was intrusted to Maximin. One day, as he entered the field of exercise, the troops saluted him emperor, and hastened to consummate their rebellion by the murder of Severus Alexander. The son of Mamæa, betrayed and deserted, withdrew into his tent, desirous at least to conceal his approaching fate from the insults of the multitude. He was soon followed by a tribune and some centurions, the ministers of death; but instead of receiving with manly resolution the inevitable stroke, his unavailing cries and entreaties disgraced the last moments of his life, and converted into contempt some portion of the just pity which his innocence and misfortunes must inspire. His mother Mamæa perished with her son (March 18, A.D. 235).

[Schiller, *Geschichte der Römischen Kaiserzeit*, II. ii. §§ 74–76; Ranke, *Weltgeschichte*, III. i. c. 12; Rawlinson, *The Seventh Great Oriental Monarchy*; Gutschmid, *Geschichte Irans* and *Osroene* (see Appendix, note 3); Nöldeke, in *Encyclopædia Britannica* (article "Persia").]

Severus Alexander.

# APPENDIX.

## NOTE 1 (§ 4).—"THE *VICESIMA HEREDITATUM*."

This legacy duty of 5 per cent. (*vicesima hereditatum*) was one of the imposts devised by Augustus for the maintenance of the pension fund for discharged veterans (*ærarium militare*), established in 6 A.D. It was a tax to which citizens alone were liable; and the ever-increasing conferment of civic rights on individuals and communities in the provinces rendered it one of the most important sources of revenue of the Roman State. At first collected, like other indirect taxes, by middlemen (*publicani*), this revenue was eventually—perhaps from the time of Hadrian—raised directly by the Imperial procurators; and its amount renders it improbable that it was still applied wholly to the military treasury. Always regarded as a grievance by the citizens—and especially by the upper class of Romans—it was subjected to some modification by Nerva and Trajan; but—with the exception of the temporary increase effected by Caracalla and revoked by his successor—it seems to have maintained the standard fixed by Augustus. Its history ceases soon after it became the ground for the greatest extension of civic rights ever known to the world; the last notice of it occurs in the reign of Severus Alexander.

[Hirschfeld, *Untersuchungen auf dem Gebiete der Römischen Verwaltungsgeschichte*, pp. 62–68.]

## NOTE 2 (§ 10). "THE RISE OF THE *SASANIDÆ*."

Neither the name *Sasan* nor the patronymic *Sasanidæ* are found on the coins or inscriptions of this new Persian Empire (Rawlinson, *Seventh Oriental Monarchy*, p. 33). Rawlinson remarks that, if it is really a patronymic, it must have been derived, like *Achæmenidæ*, the name of the earlier Persian dynasty, from some remote progenitor whom the family claimed as its founder.

The rise of Ardashir was the consequence of a revolt of the Persians of Persia proper, who had been for five hundred years in a state of subjection. But it can be called a great national revolution only if we believe, with Rawlinson (*Parthia*, p. 31), that the Parthians were not an Iranian but a Turanian race. It is, however, probable that the Parthian nobles were of Iranian descent. But their religion had become corrupted by various forms of idolatry, the Magi were neglected, and pure Zoroastrianism was perhaps to be found in Persia alone. Consequently the rise of Ardashir was the assertion of a purer Iranian civilisation. The proximate causes of this revolution are obscure; not the least of them were the degeneracy of the later *Arsacidæ*, and the feuds and civil wars that were rife between the members of this house.

[Rawlinson, *The Seventh Great Oriental Monarchy*, cc. 1–3; Gutschmid, *Geschichte Irans*, p. 163; Nöldeke on the Sasanian Empire, in *Encyclopædia Britannica*, article "Persia".]

## NOTE 3 (§ 11).—"ABGARUS OF EDESSA."

This prince was Severus Abgarus, or Abgar, of Edessa. This Arab dynasty of the kings of Osroene, whose power closes with his name, began in the year 132 B.C., and was often in close relations with Rome. Abgar II. (68–53) is associated with Pompey's campaign against Mithridates, and was the prince who supported Crassus in 53 B.C., and is said by some authorities to have betrayed him to the Parthians. Abgar VII. was contemporary

with Trajan's invasion of Mesopotamia and entertained this emperor in Edessa. From the Antonine period coins of the dynasty show that Osroene was under the formal protectorate of Rome. Those of Abgar VIII. and Abgar IX. have on them the heads of L. Verus, Commodus, and Septimius Severus. It was during the reign of this last king that the Christian Church was recognised at Edessa; and this pious emperor seems to have retired in favour of the tyrannical Severus Abgarus, whose cruelty was the pretext for his deposition by Caracalla. This last prince never bore the royal title, and his reign is represented as a mere regency. There can be little doubt that Edessa became a colony at this time; the coin which describes it as a colony in the reign of Commodus (Marquardt, *Staatsverwaltung*, i. p. 437) is believed to be a forgery.

Even after this time the monarchy of Osroene was, for a very brief period, revived. When Gordian III. took the field in 242 A.D. against Ardashir, he must have temporarily re-established the kingdom, for a series of copper coins appears which bear on the obverse the portrait and name of Gordian, and on the reverse the portrait of the king, Abgar XI. This revival could not have lasted more than two years; in 244 Philip concluded peace with Shâpûr or Sapor, and Osroene remained in the immediate possession of Rome.

[Gutschmid, *Untersuchungen uber die Geschichte des Konigreichs Osroëne* in *Mémoirs de l'Académie impériale des sciences de St. Pétersbourg*, vii. serie, tom. xxxv. n. 1.]

Coin of Balbinus.

## CHAPTER IV.

### REIGNS OF MAXIMIN, THE TWO GORDIANS, MAXIMUS AND BALBINUS, THE THIRD GORDIAN, AND PHILIP.

§ 1. Birth and fortunes of MAXIMIN. § 2. He succeeds Severus Alexander: his cruelty. § 3. Election of the two GORDIANS in Africa: their death. § 4. Election of MAXIMUS and BALBINUS by the Senate. § 5. Siege of Aquileia by Maximin: death of Maximin. § 6. Massacre of Maximus and Balbinus. § 7. Reign of the third GORDIAN. § 8. Reign of PHILIP: he celebrates the secular games.

Birth and fortunes of MAXIMIN.

§ 1. MAXIMIN was descended from a mixed race of barbarians. His father was a Goth, and his mother of the race of the Alani.* The emperor Severus, returning from an eastern expedition, halted in Thrace, to celebrate with military games the birthday of his younger son, Geta. The country flocked in crowds to behold their sovereign, and a young barbarian of gigantic stature earnestly solicited, in his rude dialect, that he might be allowed to contend for the prize of wrestling. As the pride of discipline would have been disgraced in the overthrow of a Roman soldier by a Thracian peasant, he was matched with the stoutest followers of the camp, sixteen of whom he successively laid on the ground. His victory was rewarded by some trifling gifts and a permission to enlist in the troops. The next day the happy barbarian was distinguished above a crowd of recruits,

* Ammianus Marcellinus (xxxi. 2, 12), in his account of the Alani, represents them as dwelling east of the Don (Tanais), which he regards as the boundary between Asia and Europe. He says that, originally a distinct race, they gave their name by conquest to other tribes. They were thus one of the many races of Asiatic Scythians dwelling north of the Caspian. The original tribe may have been of Tartar origin; but, as Ammianus shows, the name ceased to denote a race. For the Goths, see ch. v. § 2.

dancing and exulting after the fashion of his country. As soon as he perceived that he had attracted the emperor's notice, he instantly ran up to his horse, and followed him on foot, without the least appearance of fatigue, in a long and rapid career. "Thracian," said Severus, with astonishment, "art thou disposed to wrestle after thy race?" "Most willingly, Sir," replied the unwearied youth; and, almost in a breath, overthrew seven of the strongest soldiers in the army. A gold collar was the prize of his matchless vigour and activity, and he was immediately appointed to serve in the horse-guards, who always attended on the person of the sovereign. This barbarian, afterwards known by the name of Maximin, displayed on every occasion a valour equal to his strength, and his native fierceness was soon tempered or disguised by the knowledge of the world. Under the reign of Severus and his son, he obtained the rank of centurion, with the favour and esteem of both those princes, the former of whom was an excellent judge of merit. Gratitude forbade Maximin to serve under the assassin of Caracalla. Honour taught him to decline the effeminate insults of Elagabalus. On the accession of Alexander he returned to court, and was placed by that prince in the command of the fourth legion.

He succeeds Severus Alexander: his cruelty.

§ 2. The murder of Severus Alexander had placed Maximin upon the throne (A.D. 235). His mean and barbarian origin, his savage appearance, and his total ignorance of the arts and institutions of civil life, formed a very unfavourable contrast with the amiable manners of the unhappy Alexander. His dark and sanguinary soul was open to every suspicion against those among his subjects who were the most distinguished by their birth or merit. Whenever he was alarmed with the sound of treason, his cruelty was unbounded and unrelenting. Italy and the whole empire were infested with innumerable spies and informers. On the slightest accusation, the first of the Roman nobles were chained on the public carriages, and hurried away to the emperor's presence. Confiscation, exile, or simple death, were esteemed uncommon instances of his lenity. Some of the unfortunate sufferers he ordered to be sewed up in the hides of slaughtered animals, others to be exposed to wild beasts, others again to be beaten to death with clubs. During the three years of his reign he disdained to visit either Rome or Italy. His camp, occasionally removed from the banks of the Rhine to those of the Danube, was the seat of his stern despotism, which trampled on every principle of law and justice, and was supported by the avowed power of the sword. No man of noble birth, elegant accomplishments, or knowledge of civil business, was suffered near his person; and the court of a Roman emperor revived the idea of those ancient chiefs of slaves and gladiators, whose savage power had left a deep impression of terror and detestation.

As long as the cruelty of Maximin was confined to the illustrious senators, the body of the people viewed their sufferings

with indifference, or perhaps with pleasure. But the tyrant's avarice, stimulated by the insatiate desires of the soldiers, at length attacked the public property. Every city of the empire was possessed of an independent revenue, destined to purchase corn for the multitude, and to supply the expenses of the games and entertainments. By a single act of authority, the whole mass of wealth was at once confiscated for the use of the Imperial treasury. The temples were stripped of their most valuable offerings of gold and silver, and the statues of gods, heroes, and emperors, were melted down and coined into money. Throughout the Roman world a general cry of indignation was heard, imploring vengeance on the common enemy of human kind; and at length, by an act of private oppression, a peaceful and unarmed province was driven into rebellion against him.

Election of the two GORDIANS in Africa: their death.

§ 3. The procurator of Africa had pronounced an iniquitous sentence against some opulent youths of that country, the execution of which would have stripped them of far the greater part of their patrimony. In this extremity, a resolution that must either complete or prevent their ruin was dictated by despair. They assassinated the procurator, erected the standard of rebellion against the sovereign of the Roman empire, and compelled Gordianus, the proconsul of the province, to accept the Imperial purple (February or March, A.D. 238). Gordianus was more than fourscore years of age. His family was one of the most illustrious of the Roman senate. On the father's side he was descended from the Gracchi; on his mother's, from the emperor Trajan. A great estate enabled him to support the dignity of his birth, and in the enjoyment of it he displayed an elegant taste and beneficent disposition. His long life was innocently spent in the study of letters and the peaceful honours of Rome; and, till he was named proconsul of Africa by the voice of the senate and the approbation of Alexander, he appears prudently to have declined the command of armies and the government of provinces. With the venerable proconsul, his son, who had accompanied him into Africa as his lieutenant, was likewise declared emperor. His manners were less pure, but his character was equally amiable with that of his father. As soon as the Gordians had appeased the first tumult of a popular election they removed their court * to Carthage, and sent a deputation to Rome to solicit the approbation of the senate.

The inclinations of the senate were neither doubtful nor divided. The birth and noble alliances of the Gordians had intimately connected them with the most illustrious houses of Rome. Their mild administration opened the flattering prospect of the restoration, not only of the civil but even of the republican government. The hatred of Maximin towards the senate was declared and implacable; the tamest submission had not appeased his fury, the most cautious innocence would not

* From Thysdrus, the first scene of the revolt.

remove his suspicions ; and even the care of their own safety urged them to share the fortune of an enterprise, of which (if unsuccessful) they were sure to be the first victims. Accordingly, by an unanimous decree, the election of the Gordians was ratified ; Maximin, his son, and his adherents were pronounced enemies of their country ; the capital of the empire acknowledged with transport the authority of the two Gordians and the senate ; and the example of Rome was followed by the rest of Italy.

The senate assumed the reins of government, and, with a calm intrepidity, prepared to vindicate by arms the cause of freedom. The defence of Italy was intrusted to twenty consular senators.* Two were appointed to act in each of ten departments into which Italy had been divided ; they were authorised to enrol and discipline the Italian youth, and instructed to fortify the ports and highways against the impending invasion of Maximin. But, while the cause of the Gordians was embraced with such diffusive ardour, the Gordians themselves were no more. The feeble court of Carthage was alarmed with the rapid approach of Capellianus, legate of Numidia,† who, with a small band of veterans and a fierce host of barbarians, attacked a faithful but unwarlike province. The younger Gordian sallied out to meet the enemy at the head of a few guards, and a numerous undisciplined multitude, educated in the peaceful luxury of Carthage. His useless valour served only to procure him an honourable death on the field of battle. His aged father, whose reign had not exceeded 36 days, put an end to his life on the first news of the defeat (March, A.D. 238). Carthage, destitute of defence, opened her gates to the conqueror, and Africa was exposed to the rapacious cruelty of a slave, obliged to satisfy his unrelenting master with a large account of blood and treasure.

Election of MAXIMUS and BALBINUS by the Senate.

§ 4. The fate of the Gordians filled Rome with just but unexpected terror. Maximin, implacable by nature and exasperated by injuries, was advancing towards Italy at the head of the military force of the empire ; and the senate had no alternative but either to meet him bravely in the field, or tamely to expect the tortures and ignominious death reserved for unsuccessful rebellion. They, therefore, conferred the Imperial dignity upon Maximus and Balbinus, two distinguished senators, whose virtues and reputation justified the most sanguine hopes of the Romans. The various nature of their talents seemed to appropriate to each his peculiar department of peace and war, without leaving room for jealous emulation. Balbinus was an admired orator, a poet of distinguished fame, and a wise magistrate, who had exercised with innocence and applause the civil jurisdiction in almost all the interior provinces of the empire. His birth

* Their title was *xxviri consulares ex senatus consulto reipublicæ curandæ.* (Wilmanns, *Exempla inscriptionum Latinarum*, n. 1218).

† See note on ch. i. § 14.

was noble, his fortune affluent, his manners liberal and affable. The mind of Maximus was formed in a rougher mould. By his valour and abilities he had raised himself from the meanest origin to the first employments of the state and army. But the licentious multitude demanded that, besides the two emperors chosen by the senate, a third should be added of the family of the Gordians, as a just return of gratitude to those princes who had sacrificed their lives for the republic. The senate at first refused; but when the populace supported their demand by arms, it was considered more prudent to confer the title of Cæsar upon the grandson of the elder and nephew of the younger Gordian, who was a boy only 13 years of age.

Siege of Aquileia by Maximin: death of Maximin.

§ 5. Maximin, meantime, had crossed the Alps, and in the month of April appeared before the city of Aquileia. This city received and withstood the shock of the invasion. It was defended by its citizens with the greatest bravery; its magazines were plentifully supplied, and several fountains within the walls assured them of an inexhaustible resource of fresh water. The soldiers of Maximin were, on the contrary, exposed to the inclemency of the season, the contagion of disease, and the horrors of famine. In accordance with the wise orders of the generals of the senate, the cattle had been driven away from the surrounding country, the provisions removed or destroyed, nor was anything left which could afford either shelter or subsistence to an invader. A spirit of despair and disaffection began to diffuse itself among the troops. The fierce temper of the tyrant was exasperated by disappointments, which he imputed to the cowardice of his army; and his wanton and ill-timed cruelty, instead of striking terror, inspired hatred and a just desire of revenge. A party of Prætorian guards, who trembled for their wives and children in the camp of Alba, near Rome, executed the sentence of the senate. Maximin, abandoned by his guards, was slain in his tent with his son, whom he had associated to the honours of the purple (June, A.D. 238). The sight of their heads, borne on the point of spears, convinced the citizens of Aquileia that the siege was at an end; the gates of the city were thrown open, a liberal market was provided for the hungry troops of Maximin, and the whole army joined in solemn protestations of fidelity to the senate and the people of Rome, and to their lawful emperors Maximus and Balbinus. Such was the deserved fate of a brutal savage, destitute, as he has generally been represented, of every sentiment that distinguishes a civilised, or even a human being. The body was suited to the soul. The stature of Maximin exceeded the measure of eight feet, and circumstances almost incredible are related of his matchless strength and appetite. Had he lived in a less enlightened age, tradition and poetry might well have described him as one of those monstrous giants whose supernatural power was constantly exerted for the destruction of mankind.

Massacre of Maximus and Balbinus.

§ 6. It is easier to conceive than to describe the universal joy of the Roman world on the fall of the tyrant, the news of which is said to have been carried in four days from Aquileia to Rome. The return of Maximus, who had gone to oppose the tyrant, was a triumphal procession; his colleague and young Gordian went out to meet him, and the three princes were received on their entry into the capital with the unfeigned acclamations of the senate and people, who persuaded themselves that a golden age would succeed to an age of iron. The conduct of the two emperors corresponded with these expectations. They administered justice in person; and the rigour of the one was tempered by the other's clemency. The oppressive taxes with which Maximin had loaded the rights of inheritance and succession were repealed, or at least moderated. Discipline was revived, and with the advice of the senate many wise laws were enacted by their Imperial ministers, who endeavoured to restore a civil constitution on the ruins of military tyranny. "What reward may we expect for delivering Rome from a monster?" was the question asked by Maximus in a moment of freedom and confidence. Balbinus answered it without hesitation, "The love of the senate, of the people, and of all mankind." "Alas!" replied his more penetrating colleague, "alas! I dread the hatred of the soldiers and the fatal effects of their resentment." His apprehensions were but too well justified by the event. The Prætorians had attended the emperors on the memorable day of their public entry into Rome; but, amidst the general acclamations, the sullen dejected countenance of the guards sufficiently declared that they considered themselves as the object, rather than the partners, of the triumph. When the whole body was united in their camp, those who had served under Maximin, and those who had remained at Rome, insensibly communicated to each other their complaints and apprehensions. The emperors chosen by the army had perished with ignominy; those elected by the senate were seated on the throne. The soldiers must now learn a new doctrine of submission to the senate. But their fate was still in their own hands; and if they had courage to despise the vain terrors of an impotent republic, it was easy to convince the world that those who were masters of the arms were masters of the authority of the state. A few days afterwards, while the whole city was employed in the Capitoline games, a troop of desperate assassins from the Prætorian camp burst into the palace, seized on these emperors of the senate, for such they called them with malicious contempt, stripped them of their garments, and dragged them in insolent triumph through the streets of Rome, with the design of inflicting a slow and cruel death on these unfortunate princes. The fear of a rescue from the faithful Germans of the Imperial guards shortened their tortures; and their bodies, mangled with a thousand wounds, were left exposed to the insults or to the pity of the populace.

§ 7. In the space of a few months six princes had been cut off by the sword. Gordian, who had already received the title of Cæsar, was the only person that occurred to the soldiers as proper to fill the vacant throne. They carried him to the camp and unanimously saluted him Augustus and emperor. His name was dear to the senate and people; his tender age promised a long impunity of military licence; and the submission of Rome and the provinces to the choice of the Prætorian guards saved the republic, at the expense indeed of its freedom and dignity, from the horrors of a new civil war in the heart of the capital. Reign of the third GORDIAN.

As the third Gordian was only nineteen years of age at the time of his death, the history of his life, were it known to us with greater accuracy than it really is, would contain little more than the account of his education and the conduct of the ministers who by turns abused or guided the simplicity of his inexperienced youth. Immediately after his accession he fell into the hands of his mother's eunuchs, who sold without his knowledge the honours of the empire to the most worthless of mankind. We are ignorant by what fortunate accident the emperor escaped from this ignominious slavery, and devolved his confidence on a minister whose wise counsels had no object except the glory of his sovereign and the happiness of the people. It should seem that love and learning introduced Timesitheus to the favour of Gordian. The young prince married the daughter of his master of rhetoric, and promoted his father-in-law to the first offices of the empire. The life of Timesitheus had been spent in the profession of letters, not of arms; yet such was the versatile genius of that great man, that, when he was appointed Prætorian præfect, he discharged the military duties of his place with vigour and ability. The Persians had invaded Mesopotamia, and threatened Antioch (A.D. 242). By the persuasion of his father-in-law, the young emperor quitted the luxury of Rome, opened, for the last time recorded in history, the temple of Janus, and marched in person into the East. On his approach with a great army, the Persians withdrew their garrisons from the cities which they had already taken, and retired from the Euphrates to the Tigris. Gordian enjoyed the pleasure of announcing to the senate the first success of his arms, which he ascribed with a becoming modesty and gratitude to the wisdom of his father and præfect. But the prosperity of Gordian expired with Timesitheus, who died of a flux, not without very strong suspicions of poison. Philip, his successor in the præfecture, was an Arab by birth, and consequently, in the earlier part of his life, a robber by profession. His rise from so obscure a station to the first dignities of the empire seems to prove that he was a bold and able leader. But his boldness prompted him to aspire to the throne, and his abilities were employed to supplant, not to serve, his indulgent master. The minds of the soldiers were irritated by an artificial

scarcity, created by his contrivance in the camp; and the distress of the army was attributed to the youth and incapacity of the prince. It is not in our power to trace the successive steps of the secret conspiracy and open sedition which were at length fatal to Gordian (March, A.D. 244). A sepulchral monument was erected to his memory on the spot where he was killed, near the conflux of the Euphrates with the little river Chaboras. The fortunate Philip, raised to the empire by the votes of the soldiers, found a ready obedience from the senate and the provinces.

Reign of PHILIP: he celebrates the secular games.

§ 8. On his return from the East to Rome, Philip, desirous of obliterating the memory of his crimes, and of captivating the affections of the people, solemnised the secular games with infinite pomp and magnificence (April 21, A.D. 248). Since their institution or revival by Augustus, they had been celebrated by Claudius, by Domitian, and by Severus, and were now renewed the fifth time, on the accomplishment of the full period of a thousand years from the foundation of Rome.* Every circumstance of the secular games was skilfully adapted to inspire the superstitious mind with deep and solemn reverence. The long interval between them exceeded the term of human life; and as none of the spectators had already seen them, none could flatter themselves with the expectation of beholding them a second time. The mystic sacrifices were performed, during three nights, on the banks of the Tiber; and the Campus Martius resounded with music and dances, and was illuminated with innumerable lamps and torches. Slaves and strangers were excluded from any participation in these national ceremonies. A chorus of twenty-seven youths, and as many virgins, of noble families, and whose parents were both alive, implored the propitious gods in favour of the present, and for the hope of the rising generation; requesting, in religious hymns, that, according to the faith of their ancient oracles, they would still maintain the virtue, the felicity, and the empire of the Roman people.

* Two celebrations are recorded for the republic, one in 249 B.C., and the other in 146 B.C. They had also been celebrated by Antoninus Pius. The *sæculum* which these games closed was variously reckoned as a period of 100 and 110 years—a difference of calculation which to some extent explains the seeming irregularity of their celebration. Augustus' celebration was in 17 B.C.; that of Claudius marked the close of the 800th year of the city (47 A.D.). Domitian's games were in 87 A.D.; he professed to follow Augustus, but anticipated the *sæculum* by six years. Those of Antoninus Pius were in 147 A.D. (the 900th year of the city), while Septimius Severus, reckoning two *sæcula* (220 years according to the second system) from Augustus' celebration, held them in 204 A.D. [Marquardt, *Staatsverwaltung*, iii. pp. 370-378; Purser, in Smith's *Dictionary of Antiquities*, ii. p. 92; Furneaux on Tacitus, *Annals*, xi. 11. The *locus classicus* is Censorinus, *De Die Natali*, c. 17 (p. 32, ed. Hultsch).]

[Schiller, *Geschichte der Römischen Kaiserzeit*, II. iv. §§ 77 and 78; Ranke, *Weltgeschichte*, III. i. c. 13.]

Gallienus.

## CHAPTER V.

### THE REIGNS OF DECIUS, GALLUS, ÆMILIANUS, VALERIAN, AND GALLIENUS—THE THIRTY TYRANTS.

§ 1. Death of Philip and accession of DECIUS. § 2. Origin and migrations of the Goths. § 3. The Gothic War: defeat and death of Decius. § 4. Reign and death of GALLUS: reign and death of ÆMILIANUS: accession of VALERIAN. § 5. Character of Valerian: he associates his son GALLIENUS in the empire: general misfortunes of their reigns. § 6. Origin and confederacy of the Franks: they invade Gaul and Spain. § 7. Origin of the Alemanni: they invade Gaul and Italy. § 8. The three naval expeditions of the Goths. § 9. Conquest of Armenia by the Persians: Valerian defeated and taken prisoner by Sapor: Sapor overruns Syria, Cilicia, and Cappadocia. § 10. Success of Odænathus against Sapor. § 11. Treatment of Valerian by Sapor. § 12. Character and administration of Gallienus. § 13. The Thirty Tyrants. § 14. Famine and pestilence.

Death of Philip and accession of DECIUS.

§ 1. FROM the great secular games celebrated by Philip, to the death of the emperor Gallienus, there elapsed twenty years of shame and misfortune (A.D. 248–268). During that calamitous period, every instant of time was marked, every province of the Roman world was afflicted, by barbarous invaders and military tyrants, and the ruined empire seemed to approach the last and fatal moment of its dissolution. After Philip had reigned five years, a rebellion against him broke out among the legions of Mœsia, and a subaltern officer, named Marinus, was the object of their seditious choice. Philip sent Decius, a noble senator, to quell the insurrection; but the legions of Mœsia forced their judge to become their accomplice. They left him only the alternative of death or the purple. His subsequent conduct, after that decisive measure, was unavoidable. He conducted or followed his army to the confines of Italy, whither Philip, collecting all his force to repel the formidable competitor whom

he had raised up, advanced to meet him. Philip was either killed in the battle or put to death a few days afterwards at Verona (A.D. 249). His son and associate in the empire was massacred at Rome by the Prætorian guards; and the victorious Decius, with more favourable circumstances than the ambition of that age can usually plead, was universally acknowledged by the senate and provinces.

Origin and migrations of the Goths.

§ 2. The emperor Decius had employed a few months in the works of peace and the administration of justice, when he was summoned to the banks of the Danube by the invasion of the GOTHS. This is the first considerable occasion in which history mentions that great people, who afterwards broke the Roman power, sacked the Capitol, and reigned in Gaul, Spain, and Italy. So memorable was the part which they acted in the subversion of the Western empire, that the name of GOTHS is frequently but improperly used as a general appellation of rude and warlike barbarism.

In the beginning of the sixth century, and after the conquest of Italy, the Goths, in possession of present greatness, very naturally indulged themselves in the prospect of past and of future glory. They wished to preserve the memory of their ancestors, and to transmit to posterity their own achievements. The principal minister of the court of Ravenna, the learned Cassiodorus, gratified the inclination of the conquerors in a Gothic history, which consisted of twelve books, now reduced to the imperfect abridgment of Jordanes. On the faith of ancient songs, the uncertain but the only memorials of barbarians, these writers deduced the first origin of the Goths from the vast island or peninsula of Scandinavia.* They afterwards crossed the Baltic, and emigrated to the coasts of Pomerania and Prussia, where we find them settled at least as early as the Christian æra, and as late as the age of the Antonines. Between the time of the Antonines and the reign of Severus Alexander, the Goths had emigrated a second time towards the south, and had taken possession of the Ukraine,† a country of considerable extent and uncommon fertility, intersected with navigable rivers, which, from either side, discharge themselves into the Borysthenes or Dnieper, and interspersed with large and lofty forests of oaks. In this emigration the Goths were joined by several other tribes of Teutonic descent,

* The group of nations known as Goths belonged to the low German branch of the Indo-Germanic race. They were, therefore, closely akin to the Frisii (the ancient inhabitants of Friesland), to the ancestors of the Hollanders and to the Anglo-Saxons. The word "Goth" is used by ancient authorities in a wider and a narrower sense. Properly, it denotes the closely-connected Ostrogoths (or Greuthungi) and Visigoths (or Thervingi), but sometimes it is employed in a wider sense to include kindred tribes like the Vandals, Burgundians, and Gepids.

† This second migration to the shores of the Euxine is probably connected with the crossing of the Danube by the Marcomanni in the time of M. Aurelius. It may, therefore, have taken place about A.D. 170.

who were proud to fight under the banners of this martial people. The numbers and spirit of the Goths were equal to the most dangerous adventures. The use of round bucklers and short swords rendered them formidable in a close engagement; the manly obedience which they yielded to hereditary kings gave uncommon union and stability to their councils,* and the renowned Amala, the hero of that age, and the tenth ancestor of Theodoric king of Italy, enforced, by the ascendant of personal merit, the prerogative of his birth, which he derived from the *Anses*, or demigods of the Gothic nation. The people were divided into the great tribes of the Ostrogoths or eastern Goths, Visigoths or western Goths, and Gepidæ.†

The Gothic War: defeat and death of Decius.

§ 3. The Scythian hordes,‡ which, towards the east, bordered on the new settlements of the Goths, presented nothing to their arms, except the doubtful chance of an unprofitable victory. But the prospect of the Roman territories was far more alluring: and the fields of Dacia were covered with rich harvests, sown by the hands of an industrious, and exposed to be gathered by those of a warlike, people. It is probable that the conquests of Trajan, maintained by his successors less for any real advantage than for ideal dignity,§ had contributed to weaken the empire on that side. The new and unsettled province of Dacia was neither strong enough to resist, nor rich enough to satiate, the rapaciousness of the barbarians. As long as the remote banks of the Dniester were considered as the boundary of the Roman power, the fortifications of the Lower Danube were more carelessly guarded, and the inhabitants of Mœsia lived in supine security, fondly conceiving themselves at an inaccessible distance from any barbarian invaders. The irruptions of the Goths, under the reign of Philip, fatally convinced them of their mistake. The king of that fierce nation traversed with contempt the province of Dacia, and passed both the Dniester and the Danube without encountering any opposition capable of retarding his progress. He appeared at length under the walls of Marcianopolis, a city built by Trajan in honour of his sister, and at that time the capital of the second Mœsia‖ (A.D. 247). The inhabitants consented to ransom their

* Tacitus tells us (*Germania*, c. 43) that monarchy amongst the Goths was stronger than amongst other Germanic tribes. Yet it was far more powerful in periods of war and migration than in times of peace. The Goths were not a nation, and their political system must not be regarded in the light of the organised and stable monarchies of Rome or of the modern world. On the Gothic kings, see Dahn, *Könige der Germanen*, ii. p. 51.

† The Gepids are first found on the Baltic near the mouth of the Vistula. They kept pace with the movements of the Goths, and, when the Visigoths reached the Danube, are found settled in their rear. See Dahn, *Könige der Germanen*, ii. p. 15.

‡ See Appendix on "Scythians and Sarmatians."

§ But see note to ch. i. § 6.

‖ *I.e.* Lower Mœsia (*Mœsia Inferior*) between the Danube, the Balkans, and the Black Sea. It is questionable whether, in spite of the statement of

lives and property by the payment of a large sum of money, and the invaders retreated back into their deserts, animated, rather than satisfied, with the first success of their arms against an opulent but feeble country. They soon passed the Danube a second time, with more considerable forces, under their king Cniva; and when Decius arrived at the scene of war, he found them engaged before Nicopolis, on the Jatrus, one of the many monuments of Trajan's victories. On his approach they raised the siege, but with a design only of marching away to a conquest of greater importance, the siege of Philippopolis, a city of Thrace, founded by the father of Alexander, near the foot of Mount Hæmus. Decius followed them through a difficult country, and by forced marches; but when he imagined himself at a considerable distance from the rear of the Goths, Cniva turned with rapid fury on his pursuers. The camp of the Romans was surprised and pillaged, and, for the first time, their emperor fled in disorder before a troop of half-armed barbarians. After a long resistance Philippopolis, destitute of succour, was taken by storm.* A hundred thousand persons are reported to have been massacred in the sack of that great city. The time, however, consumed in that tedious siege enabled Decius to revive the courage, restore the discipline, and recruit the numbers of his troops. He intercepted several parties of Carpi, and other Germans, who were hastening to share the victory of their countrymen, intrusted the passes of the mountains to officers of approved valour and fidelity, repaired and strengthened the fortifications of the Danube, and exerted his utmost vigilance to oppose either the progress or the retreat of the Goths. They were now, on every side, surrounded and pursued by the Roman arms. The flower of their troops had perished in the long siege of Philippopolis, and the exhausted country could no longer afford subsistence for the remaining multitude of licentious barbarians. Reduced to this extremity, the Goths would gladly have purchased, by the surrender of all their booty and prisoners, the permission of an undisturbed retreat. But the emperor, confident of victory, and resolving, by the chastisement of these invaders, to strike a salutary terror into the nations of the North, refused to listen to any terms of accommodation. The high-spirited barbarians preferred death to slavery. An obscure town of Mœsia, called Forum Trebonii, was the scene of the battle. The conflict was terrible; it was the combat of despair against grief and rage. The Romans were at length defeated; they perished in a morass, which they

Jordanes (c. 16), Marcianopolis was its capital at this time. It appears as such after Diocletian; but in the earlier period the town is generally reckoned as belonging to the province of Thrace. See Marquardt, *Staatsverwaltung*, i. pp. 315, 316.

* The fall of the town was due to the treason of L. Priscus, governor of Macedonia, who wished to make himself emperor with the help of the barbarians. (Jordanes, c. 18; Schiller, *Geschichte*, II. iv. § 79).

ineffectually attempted to cross ;* nor could the body of the emperor ever be found (A.D. 251). Such was the fate of Decius, in the 50th year of his age ; an accomplished prince, active in war, and affable in peace ; who, together with his son, has deserved to be compared, both in life and death, with the brightest examples of ancient virtue.

Reign and death of GALLUS : reign and death of ÆMILIANUS: accession of VALERIAN.

§ 4. This fatal blow humbled, for a very little time, the insolence of the legions. They appear to have patiently expected, and submissively obeyed, the decree of the senate which regulated the succession to the throne. From a just regard for the memory of Decius, the Imperial title was conferred on Hostilianus, his only surviving son ; but an equal rank, with more effectual power, was granted to Gallus, whose experience and ability seemed equal to the great trust of guardian to the young prince and the distressed empire.† The first care of the new emperor was to deliver the Illyrian provinces from the intolerable weight of the victorious Goths. He consented to leave in their hands the rich fruits of their invasion, and he even promised to pay them annually a large sum of gold. But the minds of the Romans were not yet accustomed to accept such unequal laws from a tribe of barbarians ; and the prince, who by a necessary concession had probably saved his country, became the object of the general contempt and aversion. The death of Hostilianus, though it happened in the midst of the raging pestilence, was interpreted as the personal crime of Gallus. The Romans were irritated to a still higher degree when they discovered that they had not even secured their repose, though at the expense of their honour. The dangerous secret of the wealth and weakness of the empire had been revealed to the world. New swarms of barbarians, encouraged by the success of their brethren, spread devastation through the Illyrian provinces, and terror as far as the gates of Rome. The defence of the monarchy, which seemed abandoned by the pusillanimous emperor, was assumed by Æmilianus, governor of Mœsia, who defeated the barbarians and pursued them beyond the Danube. The victorious leader distributed as a donative the money collected for the tribute, and the acclamations of the soldiers proclaimed him emperor on the field of battle. Gallus was almost in the same instant informed of the success, of the revolt, and of the rapid approach, of his aspiring lieutenant. He advanced to meet him as far as the plains of Spoleto.‡ When the armies

* Abritum and Forum Trebonii are the various names given to the scene of the disaster. The marshes are those of the Dobrudscha.

† Gallus had been proclaimed Emperor by the legions before Hostilianus was associated with him. See Schiller, *Geschichte*, II. iv. § 79; i. p. 808, n. 1.

‡ Interamna (Terni) and not Spoletium (Spoleto) was probably the actual scene of the emperor's death. See Schiller, II. iv. § 80, and the authorities he cites, I. p. 810.

came in sight of each other the soldiers of Gallus compared the ignominious conduct of their sovereign with the glory of his rival. The murder of Gallus and of his son Volusianus put an end to the civil war; and the senate gave a legal sanction to the rights of conquest (May, A.D. 253).

Æmilianus reigned only four months. Gallus had sent Valerian to bring the legions of Gaul and Germany to his aid. Valerian executed that commission with zeal and fidelity; and, as he arrived too late to save his sovereign, he resolved to revenge him. The troops of Æmilianus, who still lay encamped in the plains of Spoleto, were awed by the superior strength of his army; and they readily imbrued their hands in the blood of a prince who so lately had been the object of their partial choice (August, A.D. 253). The guilt was theirs, but the advantage of it was Valerian's; who obtained the possession of the throne by the means indeed of a civil war, but with a degree of innocence singular in that age of revolutions; since he owed neither gratitude nor allegiance to his predecessor, whom he dethroned.

Character of Valerian: he associates his son GALLIENUS in the empire: general misfortunes of their reigns.

§ 5. Valerian was about sixty years of age when he was invested with the purple, not by the caprice of the populace or the clamours of the army, but by the unanimous voice of the Roman world. In his gradual ascent through the honours of the state he had deserved the favour of virtuous princes, and had declared himself the enemy of tyrants. His noble birth, his mild but unblemished manners, his learning, prudence, and experience, were revered by the senate and people; and, if mankind (according to the observation of an ancient writer *) had been left at liberty to choose a master, their choice would most assuredly have fallen on Valerian. When the Emperor Decius had resolved to revive the obsolete office of censor in the vain expectation of restoring public virtue, and ancient principles and manners, he submitted the choice of the censor to the unbiassed voice of the senate. By their unanimous votes, or rather acclamations, Valerian had been declared the most worthy of that exalted honour. Upon his accession to the empire, he resolved to share the throne with a younger and more active associate; but instead of making a judicious choice, Valerian, consulting only the dictates of affection or vanity, immediately invested with the supreme honours his son Gallienus, a youth whose effeminate vices had been hitherto concealed by the obscurity of a private station. The joint government of the father and the son subsisted about seven, and the sole administration of Gallienus continued about eight years. But the whole period was one uninterrupted series of confusion and calamity. As the Roman empire was at the same time, and on every side, attacked by the blind fury of foreign invaders and the wild ambition of domestic usurpers, we shall consult order and perspicuity by pursuing not so much the doubtful arrangement of dates as the more natural distribution

* *Valeriani duo* (attributed to Trebellius Pollio), c. 5.

of subjects. The most dangerous enemies of Rome, during the reigns of Valerian and Gallienus, were—1. The Franks; 2. The Alemanni; 3. The Goths; and 4. The Persians.

Origin and confederacy of the Franks: they invade Gaul and Spain.

§ 6. I. The name of Franks or Freemen was given to a new confederacy formed about A.D. 240 by the old inhabitants of the Lower Rhine and the Weser. It consisted of the Chauci, the Cherusci, the Chatti, and of several other tribes of greater or less power and renown.* The love of liberty was the ruling passion of these Germans; the enjoyment of it their best treasure; the word that expressed that enjoyment the most pleasing to their ear. They deserved, they assumed, they maintained the honourable epithet of Franks, or Freemen; which concealed, though it did not extinguish, the peculiar names of the several states of the confederacy. Tacit consent and mutual advantage dictated the first laws of the union; it was gradually cemented by habit and experience. The Romans had long felt the daring valour of the people of Lower Germany. The union of their strength threatened Gaul with a more formidable invasion, and required the presence of Gallienus, the heir and colleague of Imperial power. Whilst that prince and his infant son Saloninus displayed in the court of Trèves the majesty of the empire, its armies were ably conducted by their general Postumus, who, though he afterwards betrayed the family of Valerian, was ever faithful to the great interest of the monarchy. The Franks, however, not only crossed the Rhine, and carried their devastations to the foot of the Pyrenees, but they also crossed these mountains, and laid waste Spain. During twelve years, the greatest part of the reign of Gallienus, that opulent country was the theatre of unequal and destructive hostilities. Tarragona, the flourishing capital of a peaceful province, was sacked and almost destroyed. When the exhausted country no longer supplied a variety of plunder, the Franks seized on some vessels in the ports of Spain and transported themselves into Mauretania. The distant province was astonished with the fury of these barbarians, who seemed to fall from a new world, as their name, manners, and complexion were equally unknown on the coast of Africa.

Origin of the Alemanni: they invade Gaul and Italy.

§ 7. II. Among the various nations of Germany none were so celebrated as the Suevi. Their wide-extended name filled the interior countries of Germany, from the banks of the Oder to those of the Danube. Jealous as the Germans were of military renown, they all confessed the superior valour of the Suevi; and the tribes of the Usipetes and Tencteri, who, with a vast army, encountered the dictator Cæsar, declared that they esteemed it not a disgrace to have fled before a people to whose arms the immortal gods themselves were unequal.

* The Sicambri were perhaps the chief of the tribes constituting this confederacy. The identification of the Franks mainly with the Sicambri is made by Lydus (*de magistratibus*, p. 248), and is accepted by Zeuss, *die Deutschen und die Nachbarstämme*, p. 326.

In the reign of the emperor Caracalla an innumerable swarm of Suevi appeared on the banks of the Main, and in the neighbourhood of the Roman provinces, in quest either of food, of plunder, or of glory. The hasty army of volunteers gradually coalesced into a great and permanent nation, and, as it was composed from so many different tribes, assumed the name of Alemanni, or *Allmen*,* to denote at once their various lineage and their common bravery. The latter was soon felt by the Romans in many a hostile inroad. This warlike people had been astonished by the immense preparations of Severus Alexander; they were dismayed by the arms of his successor, a barbarian equal in valour and fierceness to themselves. But, still hovering on the frontiers of the empire, they increased the general disorder that ensued after the death of Decius. They inflicted severe wounds on the rich provinces of Gaul: they were the first who removed the veil that covered the feeble majesty of Italy. A numerous body of the Alemanni penetrated across the Danube, and through the Rhætian Alps into the plains of Lombardy, advanced as far as Ravenna, and displayed the victorious banners of barbarians almost in sight of Rome (A.D. 259). The insult and the danger rekindled in the senate some sparks of their ancient virtue. Both the emperors were engaged in far distant wars, Valerian in the East, and Gallienus on the Rhine. All the hopes and resources of the Romans were in themselves. In this emergency the senators resumed the defence of the republic, drew out the Prætorian guards, who had been left to garrison the capital, and filled up their numbers by enlisting into the public service the stoutest and most willing of the Plebeians. The Alemanni, astonished with the sudden appearance of an army more numerous than their own, retired into Germany laden with spoil; and their retreat was esteemed as a victory by the unwarlike Romans.

Gallienus subsequently endeavoured to protect Italy from the fury of the Germans by espousing Pipa, the daughter of a king of the Marcomanni, a Suevic tribe, which was often confounded with the Alemanni in their wars and conquests. To the father, as the price of his alliance, he granted an ample settlement in Pannonia.

The three naval expeditions of the Goths.

§ 8. III. We have already traced the emigration of the Goths from Scandinavia, or at least from Prussia, to the mouth of the Borysthenes, and have followed their victorious arms from the Borysthenes to the Danube. Under the reigns of Valerian and Gallienus, the frontier of the last-mentioned river was perpetually

* This is the derivation given by Agathias (i. 6), and it is accepted by Zeuss (*die Deutschen, etc.*, p. 305), by Schiller (*Geschichte*, II. 4, 74), and by Mommsen (*Provinces*, i. p. 161). Zeuss thinks that the Alemanni (or Alamanni) were an aggregate of small races, amongst which were probably the Usipetes and Tencteri. They belonged to the Upper Rhine between the Main and the Danube; hence their immediate conflict with the Romans on the *limes*. (See Appendix to ch. vi., n. 2.)

infested by the inroads of Germans and Sarmatians ; * but the great stream of the Gothic hostilities was diverted into a very different channel. The Goths, in their new settlement of the Ukraine, soon became masters of the northern coast of the Euxine ; they conquered the peninsula of the Crimea, known to the ancients under the name of Chersonesus Taurica, and, having here obtained the command of a naval force, they sailed against the soft and wealthy provinces of Asia Minor, which possessed all that could attract, and nothing that could resist, a barbarian conqueror.

*First Naval Expedition of the Goths*, A.D. 258, 259.—The fleet of the Goths, leaving the coast of Circassia on the left hand, first appeared before Pityus, the utmost limits of the Roman provinces. They were at first repulsed, but subsequently obliterated their disgrace by the destruction of the city. Circling round the eastern extremity of the Euxine Sea, they arrived at Trebizond, celebrated in the retreat of the Ten Thousand as an ancient colony of Greeks. The city was large and populous ; a double enclosure of walls seemed to defy the fury of the Goths, and the usual garrison had been strengthened by a reinforcement of ten thousand men. But the numerous troops, dissolved in riot and luxury, disdained to guard their impregnable fortifications. The Goths soon discovered the supine negligence of the besieged, erected a lofty pile of fascines, ascended the walls in the silence of the night, and entered the defenceless city, sword in hand. A general massacre of the people ensued. The most holy temples, and the most splendid edifices, were involved in a common destruction. The booty that fell into the hands of the Goths was immense ; and the number of captives was incredible, as the victorious barbarians ranged without opposition through the extensive province of Pontus. The Goths, satisfied with the success of their first naval expedition, returned in triumph to their new establishments in the kingdom of Bosporus.

*The Second Expedition of the Goths.*—The second expedition of the Goths was undertaken with greater powers of men and ships ; but they steered a different course, and, disdaining the exhausted provinces of Pontus, followed the western coast of the Euxine, and approached the entrance of the Thracian Bosporus. But instead of sailing through these straits, they landed in the neighbourhood of Calchedon, and marched against the wealthy city of Nicomedia, once the capital of the kings of Bithynia. It fell into their hands a rich and easy conquest. Nicæa, Prusa, Apamea, and Cius, were involved in the same calamity, which, in a few weeks, raged without control through the whole province of Bithynia. Three hundred years of peace, enjoyed by the soft inhabitants of Asia, had abolished the exercise of arms, and removed the apprehension of danger. The ancient walls were suffered to moulder away, and all the revenue of the most opulent cities was reserved for the construction of baths, temples,

* For the Sarmatians, see Appendix.

and theatres. The retreat of the Goths to the maritime city of Heraclea, where the fleet had probably been stationed, was attended by a long train of waggons laden with the spoils of Bithynia, and was marked by the flames of Nicæa and Nicomedia, which they wantonly burnt.

*Third Naval Expedition of the Goths*, A.D. 262.—In this expedition the Goths carried their ravages into the maritime provinces of Europe. They sailed through the Thracian Bosporus, sacked the noble and ancient city of Cyzicus, situated upon an island in the Propontis, passed the Hellespont, and at length anchored in the port of Piræus, five miles distant from Athens. The barbarians became masters of the native seat of the muses and the arts; but while they abandoned themselves to the licence of plunder and intemperance, their fleet was unexpectedly attacked by the brave Dexippus, who collected a hasty band of volunteers, peasants as well as soldiers, and in some measure avenged the calamities of his country * (A.D. 267). But this exploit, whatever lustre it might shed on the declining age of Athens, served rather to irritate than to subdue the undaunted spirit of the northern invaders. A general conflagration blazed out at the same time in every district of Greece. The rage of war, both by land and by sea, spread from the eastern point of Sunium to the western coast of Epirus. The Goths had already advanced within sight of Italy, when the approach of such imminent danger awakened the indolent Gallienus from his dream of pleasure. The emperor appeared in arms; and his presence seems to have checked the ardour, and to have divided the strength, of the enemy. Naulobatus, a chief of the Heruli,† accepted an honourable capitulation, entered with a large body of his countrymen into the service of Rome, and was invested with the ornaments of the consular dignity, which had never before been profaned by the hands of a barbarian. The remainder returned to their settlements on the Euxine, some by sea, and others by land through the province of Mœsia (A.D. 267).

Conquest of Armenia by the Persians: Valerian defeated and taken prisoner by Sapor: Sapor overruns Syria, Cilicia, and Cappadocia.

§ 9. IV. The new sovereigns of Persia, Artaxerxes and his son Sapor, had triumphed (as we have already seen) over the house of Arsaces. Of the many princes of that ancient race, Chosroes, king of Armenia, had alone preserved both his life and his independence. He defended himself by the natural strength of his country; by the perpetual resort of fugitives and malecontents; by the alliance of the Romans; and, above all, by his own courage. Invincible in arms during a thirty years'

* These barbarians who attacked Athens are said to have been mainly Heruli.

† The Heruli were probably a German race, although some have thought that the name (*Herulus* interpreted as the equivalent of the Danish and Icelandic *Jarl*) shows not a nation but a mere aggregate of warriors. As in the case of the Goths and Gepids (§ 2), their earliest home was probably somewhere on the Baltic coast.

war, he was at length assassinated by the emissaries of Sapor, king of Persia. The patriotic satraps of Armenia, who asserted the freedom and dignity of the crown, implored the protection of Rome in favour of Tiridates the lawful heir. But the son of Chosroes was an infant, the allies were at a distance, and the Persian monarch advanced towards the frontier at the head of an irresistible force. Young Tiridates, the future hope of his country, was saved by the fidelity of a servant, and Armenia continued above twenty-seven years a reluctant province of the great monarchy of Persia. Elated with this easy conquest, and presuming on the distresses or the degeneracy of the Romans, Sapor obliged the strong garrisons of Carrhæ and Nisibis to surrender, and spread devastation and terror on either side of the Euphrates (A.D. 256).

The loss of an important frontier, the ruin of a faithful and natural ally, and the rapid success of Sapor's ambition, affected Rome with a deep sense of the insult as well as of the danger. Valerian resolved, notwithstanding his advanced age, to march in person to the defence of the East. He passed the Euphrates, encountered the Persian monarch near the walls of Edessa, was vanquished, and taken prisoner by Sapor (A.D. 260). The particulars of this great event are darkly and imperfectly represented; yet, by the glimmering light which is afforded us, we may discover a long series of imprudence, of error, and of deserved misfortunes on the side of the Roman emperor. He reposed an implicit confidence in Macrianus, his Prætorian præfect. That worthless minister rendered his master formidable only to the oppressed subjects, and contemptible to the enemies of Rome. By his weak or wicked counsels the Imperial army was betrayed into a situation where valour and military skill were equally unavailing. The vigorous attempt of the Romans to cut their way through the Persian host was repulsed with great slaughter. An immense sum of gold was offered to purchase the permission of a disgraceful retreat. But the Persian, conscious of his superiority, refused the money with disdain; and insisted on a personal conference with the emperor. Valerian was reduced to the necessity of intrusting his life and dignity to the faith of an enemy. The interview ended as it was natural to expect. The emperor was made a prisoner, and his astonished troops laid down their arms. In such a moment of triumph the pride and policy of Sapor prompted him to fill the vacant throne with a successor entirely dependent on his pleasure. Cyriades, an obscure fugitive of Antioch, stained with every vice, was chosen to dishonour the Roman purple; and the will of the Persian victor could not fail of being ratified by the acclamations, however reluctant, of the captive army. Cyriades conducted Sapor over the Euphrates, and, by the way of Chalcis,* to the metropolis of the East. So rapid were the motions of the

* *I.e.* Chalcis in Upper Syria; there was another town of the same name in Cœle Syria.

Persian cavalry that the city of Antioch was surprised when the idle multitude was fondly gazing on the amusements of the theatre. The splendid buildings of Antioch, private as well as public, were either pillaged or destroyed; and the numerous inhabitants were put to the sword or led away into captivity. The conqueror overran the whole of Syria and Cilicia, and crossing the passes of Mount Taurus, destroyed Cæsarea, the capital of Cappadocia. His course was marked by devastation. He despaired of making any permanent establishment in the empire, and sought only to leave behind him a wasted desert, whilst he transported into Persia the people and the treasures of the provinces.

Success of Odænathus against Sapor.

§ 10. In this expedition the only check which Sapor received was from Odænathus, a noble and opulent senator of Palmyra.* The Persian monarch had rejected with disdain the presents by which the Palmyrenian had sought to obtain the favour of the Great King. Odænathus collected a small army from the villages of Syria and the tents of the desert, hovered round the Persian host, harassed their retreat, and carried off part of the treasure of the Great King, who was at last obliged to repass the Euphrates with some marks of haste and confusion (A.D. 260). By this exploit Odænathus laid the foundations of his future fame and fortunes. The majesty of Rome, oppressed by a Persian, was protected by a Syrian or Arab of Palmyra.

Treatment of Valerian by Sapor.

§ 11. The voice of history reproaches Sapor with a proud abuse of the rights of conquest. We are told that Valerian, in chains, but invested with the Imperial purple, was exposed to the multitude, a constant spectacle of fallen greatness; and that, whenever the Persian monarch mounted on horseback, he placed his foot on the neck of a Roman emperor. Notwithstanding all the remonstrances of his allies, who repeatedly advised him to remember the vicissitude of fortune, to dread the returning power of Rome, and to make his illustrious captive the pledge of peace, not the object of insult, Sapor still remained inflexible. When Valerian sunk under the weight of shame and grief, his skin, stuffed with straw, and formed into the likeness of a human figure, was preserved for ages in the most celebrated temple of Persia; a more real monument of triumph than the fancied trophies of brass and marble so often erected by Roman vanity. The tale is moral and pathetic, but the truth of it may very fairly be called in question. Whatever treatment the unfortunate Valerian might experience in Persia, it is at least certain that the only emperor of Rome who had ever fallen into the hands of the enemy languished away his life in hopeless captivity.

Character and administration of Gallienus.

§ 12. The emperor Gallienus, who had long supported with impatience the censorial severity of his father and colleague, received the intelligence of his misfortunes with secret pleasure

* Septimius Odænathus II. On his position before he took the title of king, see note on § 13 of this chapter.

and avowed indifference. "I knew that my father was a mortal," said he; "and, since he has acted as becomes a brave man, I am satisfied." Whilst Rome lamented the fate of her sovereign, the savage coldness of his son was extolled by the servile courtiers as the perfect firmness of a hero and a stoic. It is difficult to paint the light, the various, the inconstant character of Gallienus, which he displayed without constraint as soon as he became sole possessor of the empire. In every art that he attempted, his lively genius enabled him to succeed; and, as his genius was destitute of judgment, he attempted every art, except the important ones of war and government. He was a master of several curious but useless sciences, a ready orator, an elegant poet, a skilful gardener, an excellent cook, and most contemptible prince. When the great emergencies of the state required his presence and attention, he was engaged in conversation with the philosopher Plotinus, wasting his time in trifling or licentious pleasures, preparing his initiation to the Grecian mysteries, or soliciting a place in the Areopagus of Athens. His profuse magnificence insulted the general poverty; the solemn ridicule of his triumphs impressed a deeper sense of the public disgrace. The repeated intelligence of invasions, defeats, and rebellions he received with a careless smile; and, singling out, with affected contempt, some particular production of the lost province, he carelessly asked whether Rome must be ruined unless it was supplied with linen from Egypt and arras cloth from Gaul? There were, however, a few short moments in the life of Gallienus, when, exasperated by some recent injury, he suddenly appeared the intrepid soldier and the cruel tyrant; till, satiated with blood or fatigued by resistance, he insensibly sunk into the natural mildness and indolence of his character.

The Thirty Tyrants.

§ 13. At a time when the reins of government were held with so loose a hand, it is not surprising that a crowd of usurpers should start up in every province of the empire against the son of Valerian. It was probably some ingenious fancy, of comparing the thirty tyrants of Rome with the thirty tyrants of Athens, that induced the writers of the Augustan History to select that celebrated number, which has been gradually received into a popular appellation. But in every light the parallel is idle and defective. What resemblance can we discover between a council of thirty persons, the united oppressors of a single city, and an uncertain list of independent rivals, who rose and fell in irregular succession through the extent of a vast empire? Nor can the number of thirty be completed, unless we include in the account the women and children who were honoured with the Imperial title. The reign of Gallienus, distracted as it was, produced only nineteen pretenders to the throne: Cyriades, Macrianus, Balista, Odænathus, and Zenobia in the east; in Gaul and the western provinces, Postumus, Lollianus, Victorinus and his mother Victorina, Marius, and Tetricus. In Illyricum and the confines of the Danube, Ingenuus, Regillianus, and Aureolus;

in Pontus, Saturninus; in Isauria, Trebellianus; Piso in Thessaly; Valens in Achaia; Æmilianus in Egypt; and Celsus in Africa.

It is sufficiently known that the odious appellation of *Tyrant* was often employed by the ancients to express the illegal seizure of supreme power, without any reference to the abuse of it. Several of the pretenders who raised the standard of rebellion against the emperor Gallienus were shining models of virtue, and almost all possessed a considerable share of vigour and ability. Their merit had recommended them to the favour of Valerian, and gradually promoted them to the most important commands of the empire. The birth of most of them was obscure. They were born of peasants and enlisted in the army as private soldiers. In times of confusion every active genius finds the place assigned him by nature; in a general state of war military merit is the road to glory and to greatness. Of the nineteen tyrants Tetricus only was a senator; Piso alone was a noble. The lieutenants of Valerian were grateful to the father, whom they esteemed. They disdained to serve the luxurious indolence of his unworthy son. The throne of the Roman world was unsupported by any principle of loyalty: and treason against such a prince might easily be considered as patriotism to the state. Yet if we examine with candour the conduct of these usurpers, it will appear that they were much oftener driven into rebellion by their fears than urged to it by their ambition. They dreaded the cruel suspicions of Gallienus; they equally dreaded the capricious violence of their troops.

Of the nineteen tyrants who started up under the reign of Gallienus, there was not one who enjoyed a life of peace, or a natural death. As soon as they were invested with the bloody purple, they inspired their adherents with the same fears and ambition which had occasioned their own revolt. Encompassed with domestic conspiracy, military sedition, and civil war, they trembled on the edge of precipices, in which, after a longer or shorter term of anxiety, they were inevitably lost. These precarious monarchs received, however, such honours as the flattery of their respective armies and provinces could bestow; but their claim, founded on rebellion, could never obtain the sanction of law or history. Italy, Rome, and the senate, constantly adhered to the cause of Gallienus, and he alone was considered as the sovereign of the empire. That prince condescended indeed to acknowledge the victorious arms of Odænathus, who deserved the honourable distinction by the respectful conduct which he always maintained towards the son of Valerian. With the general applause of the Romans, and the consent of Gallienus, the senate conferred the title of Augustus on the brave Palmyrenian;* and seemed to intrust

* In A.D. 262 Gallienus gave to Septimius Odænathus II. the title of *Dux Orientis* (στρατηγὸς τῆς ἑῴας); in 264 Gallienus recognised his title of king of Palmyra, and gave him that of *imperator*. His command included

him with the government of the East, which he already possessed, in so independent a manner, that, like a private succession, he bequeathed it to his illustrious widow Zenobia.

Such were the barbarians, and such the tyrants, who, under the reigns of Valerian and Gallienus, dismembered the provinces, and reduced the empire to the lowest pitch of disgrace and ruin, from whence it seemed impossible that it should ever emerge.

Famine and pestilence.

§ 14. Our habits of thinking so fondly connect the order of the universe with the fate of man, that this gloomy period of history has been decorated with inundations, earthquakes, uncommon meteors, preternatural darkness, and a crowd of prodigies fictitious or exaggerated. But a long and general famine was a calamity of a more serious kind. It was the inevitable consequence of rapine and oppression, which extirpated the produce of the present and the hope of future harvests. Famine is almost always followed by epidemical diseases, the effect of scanty and unwholesome food. Other causes must, however, have contributed to the furious plague which, from the year 250 to the year 265, raged without interruption in every province, every city, and almost every family of the Roman empire.* During some time 5000 persons died daily in Rome, and many towns that had escaped the hands of the barbarians were entirely depopulated. Half of the population of Alexandria perished; and could we venture to extend the analogy to the other provinces, we might suspect that war, pestilence, and famine had consumed, in a few years, the moiety of the human species.

all the Asiatic provinces and Egypt (*vita Gallieni*, c. 10, "obtinuit totius Orientis imperium"). The *vita Gallieni* (c. 12) speaks of his being made Augustus; but this statement is contested by De Vogué (*Syrie*, pp. 29 and 31), Schiller (*Geschichte*, i. p. 837, n. 9), and Mommsen (*Provinces*, ii. p. 103, n. 1). Mommsen (*l.c.*) remarks that the fact that Odænathus was *not* Augustus is shown both by the absence of this title on his coins and by his bearing the designation (possible only for a subject) of *vir consularis* (Waddington-de Bas, iii. n. 2602, Σεπτίμιον Ὀδαίναθον τὸν λαμπρότατον ὑπατικόν).

* Clinton (*Fasti Romani*, i. p. 272) places the commencement of this plague in A.D. 252. It was believed to have come originally from Ethiopia (Cedrenus, p. 258*a*).

[Schiller, *Geschichte der Römischen Kaiserzeit*, II. iv. §§ 79-81; Ranke, *Weltgeschichte*, III. i. c. 13; Mommsen, *Provinces of the Roman Empire*; Hodgkin, *Italy and her Invaders*, i. p. 32; Dahn, *Könige der Germanen*, ii. p. 50; Zeuss, *Die Deutschen und die Nachbarstämme*; Von Sallet, *Die Fürsten von Palmyra unter Gallienus, Claudian und Aurelian.*]

# APPENDIX.

## "SCYTHIANS AND SARMATIANS."

The Scythians of the earlier Greek historians—especially of Herodotus—have little but the name in common with the group of races which now attacked the Roman Empire. It is true that the origin of the nations of Northern Europe and Asia can rarely be determined with any precision, and that there must have been in particular a great mixture of races between the Danube and the Caspian; but the distribution of peoples had changed between the fifth century B.C. and the fourth century A.D., and there is every reason to believe that the Scythians of Herodotus were a more homogeneous people than the mixed elements to which the Augustan historians and Zosimus give this name.

The Scythians of Herodotus (called *Scoloti* in Europe and *Sacæ* in Asia) have in fact been proved by the traces of their language, the accounts of their civilisation, and by their geographical distribution in the two continents, to be an Iranian race, hardly distinguishable from the Persians and the Parthians. Such names of tribes as Roxolani and Iazyges can be explained only by the old Persian and the Zend; in habits they are, like their Eastern brethren, both nomad and agricultural; in the battle array Scythians and Persians are drawn up side by side (Her. vii. 113), and the most distant satrapy of the Persian Empire of the first Darius was that of the *Sacæ*—the forerunners of the later Indo-Scythian kingdom of the Cabul valley, established in 78 A.D. The European Scythians of Herodotus were, in fact, a branch of the Iranians. Stationed at first on the west of the Caspian, they parted from their Iranian brothers about 1500 B.C., entered on the route followed by the European Aryans in their migration to Europe, and established themselves east of the Europeans in Central Russia, about the Dnieper and the Niemen. Later they passed the Dnieper, and reached the Danube on the south and the Black Sea on the west, and to this territory they gave the name of Scythia.

It was this territorial name which was transferred to the mixed crowd of subsequent immigrants. The name "Scythian" as applied to invaders of the Roman Empire does not denote a nation, but offshoots of a variety of nationalities who wandered over this territory. There was possibly still an Iranian element; but Slavs, Teutons, and Mongols are all equally represented by the name.

The word Sarmatian has had a similar history. The *Sauromatæ* of Herodotus are a nation dwelling between the sea of Azov and the Caspian south of the Don (Her. iv. 21, 43). They were reckoned as Scythians; but, if we can attach any importance to Herodotus' statement that they spoke a corrupted Scythian (Her. iv. 117), they must have been already more mixed than their Iranian brethren further west. Subsequent migrations caused the *name* "Sarmatia" to spread far west of the Don. In Roman times it extended to the most easterly of the Germanic tribes, the Bastarnæ, *i.e.* to the Carpathians. The nation that had given its name to the territory may have been fairly homogeneous; subsequently, any nation dwelling in this territory was known as Sarmatian. We may imagine that the Slavonic and the Mongol elements preponderated here; but the tendency was to make the geographical name Sarmatia encroach on and supersede that of Scythia, and no hard and fast line can be drawn between the two. Ancient writers, possessing little interest in or knowledge of ethnology, employ the terms "Sarmatian" and "Scythian" almost indifferently; and we cannot in modern times emphasize a distinction which in all probability never existed in any clear and intelligible form.

German led in Chains (from the monument of Adam Klissi).

## CHAPTER VI.

### REIGNS OF CLAUDIUS, AURELIAN, TACITUS, PROBUS, CARUS CARINUS, AND NUMERIAN.

§ 1. Aureolus invades Italy: is defeated, and besieged at Milan: death of Gallienus. § 2. Accession of CLAUDIUS: death of Aureolus: victories of Claudius over the Goths: his death. § 3. Accession of AURELIAN: his successful reign: concludes a treaty with the Goths, and resigns to them the province of Dacia. § 4. Defeats the Alemanni: surrounds Rome with new walls. § 5. Defeats Tetricus in Gaul. § 6. Character and reign of Zenobia. § 7. Aurelian defeats and takes Zenobia prisoner: rebellion and ruin of Palmyra. § 8. Aurelian suppresses the rebellion of Firmus in Egypt. § 9. His triumph: his treatment of Tetricus and Zenobia. § 10. Suppresses an insurrection at Rome: marches into the East: his assassination. § 11. Reign of TACITUS. § 12. Usurpation of Florianus: accession of PROBUS. § 13. Victories of Probus over the barbarians: he builds a wall from the Rhine to the Danube. § 14. Introduction and settlement of the barbarians. § 15. Probus returns to Rome: his triumph: his discipline: his death. § 16. Reign of CARUS: his Persian victories and death. § 17. Accession of CARINUS and NUMERIAN: character of Carinus. § 18. Death of Numerian. § 19. Death of Carinus.

Aureolus invades Italy: is defeated, and besieged at Milan: death of Gallienus.

§ 1. UNDER the deplorable reigns of Valerian and Gallienus the empire was oppressed and almost destroyed by the soldiers, the tyrants, and the barbarians. It was saved by a series of great princes, who derived their obscure origin from the martial provinces of Illyricum. Within a period of about thirty years, Claudius, Aurelian, Probus, Diocletian and his colleagues, triumphed over the foreign and domestic enemies of the state, re-established, with the military discipline, the strength of the frontiers, and deserved the glorious title of Restorers of the Roman world.

The removal of an effeminate tyrant made way for a succession of heroes. A considerable army, stationed on the Upper Danube, invested with the Imperial purple their leader Aureolus, who passed the Alps, occupied Milan, threatened Rome, and challenged Gallienus to dispute in the field the sovereignty of Italy. The emperor, provoked by the insult, and alarmed by the instant danger, suddenly exerted that latent vigour which sometimes broke through the indolence of his temper. Forcing himself from the luxury of the palace, he appeared in arms at the head of his legions, and advanced beyond the Po to encounter his competitor. The Rhætian usurper, after receiving a total defeat and a dangerous wound, retired into Milan. The siege of that great city was immediately formed, and Aureolus, as a last resource, attempted to seduce the loyalty of the besiegers. His arts diffused fears and discontent among the principal officers of his rival. A conspiracy was formed against the life of Gallienus. At a late hour of the night an alarm was suddenly given that Aureolus, at the head of all his forces, had made a desperate sally from the town; Gallienus, who was never deficient in personal bravery, mounted on horseback and rode full speed towards the supposed place of the attack. Encompassed by his declared or concealed enemies, he soon, amidst the nocturnal tumult, received a mortal dart from an uncertain hand (March, A.D. 268). Before he expired, a patriotic sentiment rising in the mind of Gallienus induced him to name a deserving successor; and it was his last request that the Imperial ornaments should be delivered to Claudius, who then commanded a detached army in the neighbourhood of Pavia. The report at least was diligently propagated, and the order cheerfully obeyed by the conspirators, who had already agreed to place Claudius on the throne.

Accession of CLAUDIUS: death of Aureolus: victories of Claudius over the Goths: his death.

§ 2. Claudius was about 54 years of age when he ascended the throne. He was of humble origin, and had risen by his military abilities to high offices of trust under the emperors Decius, Valerian, and Gallienus. The siege of Milan was still continued, and Aureolus soon discovered that the success of his artifices had only raised up a more determined adversary. He attempted to negotiate with Claudius a treaty of alliance and partition. "Tell him," replied the intrepid emperor, "that such proposals should have been made to Gallienus; *he*, perhaps,

might have listened to them with patience, and accepted a colleague as despicable as himself." This stern refusal, and a last unsuccessful effort, obliged Aureolus to yield the city and himself to the discretion of the conqueror. The judgment of the army pronounced him worthy of death, and Claudius, after a feeble resistance, consented to the execution of the sentence.

In the arduous task which Claudius had undertaken of restoring the empire to its ancient splendour, it was first necessary to revive among his troops a sense of order and obedience. With the authority of a veteran commander he represented to them that the relaxation of discipline had introduced a long train of disorders. He painted in the most lively colours the exhausted state of the treasury, the desolation of the provinces, the disgrace of the Roman name, and the insolent triumph of rapacious barbarians. The various nations of Germany and Sarmatia who fought under the Gothic standard had already collected an armament more formidable than any which had yet issued from the Euxine (A.D. 269). They sailed with an immense fleet into the Ægean Sea, anchored at length near the foot of Mount Athos, and assaulted the city of Thessalonica, the wealthy capital of all the Macedonian provinces. Their attacks were soon interrupted by the rapid approach of Claudius. Impatient for battle, the Goths immediately broke up their camp, relinquished the siege of Thessalonica, left their navy at the foot of Mount Athos, traversed the hills of Macedonia, and pressed forwards to engage the last defence of Italy. In the neighbourhood of Naissus, a city of Upper Mœsia, the emperor gained a decisive victory over this host of barbarians, who are said to have lost 50,000 men. But this victory, though it greatly weakened, did not crush the Goths. The war was diffused over the provinces of Mœsia, Thrace, and Macedonia, and its operations drawn out into a variety of marches, surprises, and tumultuary engagements, as well by sea as by land. At length the barbarians, after repeated defeats, and unable to retreat by sea in consequence of the loss of their fleet, were forced into the most inaccessible parts of Mount Hæmus, where they found a safe refuge, but a very scanty subsistence. During the course of a rigorous winter, in which they were besieged by the emperor's troops, famine and pestilence, desertion and the sword, continually diminished the imprisoned multitude. On the return of spring nothing appeared in arms except a hardy and desperate band, the remnant of that mighty host which had embarked on the Euxine.

The pestilence which swept away such numbers of the barbarians at length proved fatal to their conqueror. After a short but glorious reign of two years, Claudius expired at Sirmium, amidst the tears and acclamations of his subjects (A.D. 270). By the most signal victories he had delivered the empire, and was distinguished by posterity under the glorious appellation of the Gothic Claudius. In his last illness he

convened the principal officers of the state and army, and in their presence recommended Aurelian, one of his generals, as the most deserving of the throne, and the best qualified to execute the great design which he himself had been permitted only to undertake. The virtues of Claudius, his valour, affability, justice, and temperance, his love of fame and of his country, place him in that short list of emperors who added lustre to the Roman purple. Those virtues, however, were celebrated with peculiar zeal and complacency by the courtly writers of the age of Constantine, who was the great-grandson of Crispus, the elder brother of Claudius.

Accession of AURELIAN: his successful reign: concludes a treaty with the Goths, and resigns to them the province of Dacia.

§ 3. Aurelian, like his predecessor, was a soldier of fortune, and had risen from the ranks to the empire. His reign lasted only four years and about nine months; but every instant of that short period was filled by some memorable achievement. He put an end to the Gothic war, chastised the Germans who invaded Italy, recovered Gaul, Spain, and Britain out of the hands of Tetricus, and destroyed the proud monarchy which Zenobia had erected in the East on the ruins of the afflicted empire. It was the rigid attention of Aurelian even to the minutest articles of discipline which bestowed such uninterrupted success on his arms. His punishments were terrible; but he had seldom occasion to punish more than once the same offence.

The death of Claudius had revived the fainting spirit of the Goths. The troops which guarded the passes of Mount Hæmus and the banks of the Danube had been drawn away by the apprehension of a civil war; and it seems probable that the remaining body of the Gothic and Vandalic tribes embraced the favourable opportunity, abandoned their settlements of the Ukraine, traversed the rivers, and swelled with new multitudes the destroying host of their countrymen. Their united numbers were at length encountered by Aurelian, and the bloody and doubtful conflict ended only with the approach of night. Exhausted by so many calamities, which they had mutually endured and inflicted during a twenty years' war, the Goths and the Romans consented to a lasting and beneficial treaty. The Gothic nation engaged to supply the armies of Rome with a body of two thousand auxiliaries, consisting entirely of cavalry, and stipulated in return an undisturbed retreat, with a regular market as far as the Danube, provided by the emperor's care, but at their own expense. But the most important condition of peace was understood rather than expressed in the treaty. Aurelian withdrew the Roman forces from Dacia, and tacitly relinquished that great province to the Goths and Vandals. His manly judgment convinced him of the solid advantages, and taught him to despise the seeming disgrace, of thus contracting the frontiers of the monarchy. The Dacian subjects, removed from those distant possessions which they were unable to cultivate or defend, added strength

and populousness to the southern side of the Danube, where a new province of Dacia was formed, which still preserved the memory of Trajan's conquests.* The old country of that name detained, however, a considerable number of its inhabitants, who dreaded exile more than a Gothic master. These degenerate Romans continued to serve the empire, whose allegiance they had renounced, by introducing among their conquerors the first notions of agriculture, the useful arts, and the conveniences of civilised life. An intercourse of commerce and language was gradually established between the opposite banks of the Danube; and, after Dacia became an independent state, it often proved the firmest barrier of the empire against the invasions of the savages of the North. The Wallachians, the inhabitants of ancient Dacia, have boasted in every age of their Roman descent, and their language is derived from the Latin, like the Italian, Spanish, and French.

Defeats the Alemanni: surrounds Rome with new walls.

§ 4. Aurelian was next called to repel the ravages of the Alemanni (A.D. 271). These warlike barbarians, after laying waste the north of Italy, and advancing as far south as Fanum Fortunæ (Fano) in Umbria, were defeated and almost exterminated in two great battles.† But the danger which had threatened the capital, and the dread of similar invasions, induced the Romans to construct a new line of fortifications around their city. The seven hills of Rome had been surrounded by Servius Tullius, the fifth king of Rome, with an ancient wall of seven miles. With the progress of Roman greatness, the city and its inhabitants gradually increased, filled up the vacant space, pierced through the useless walls, covered the field of Mars, and, on every side, followed the public highways in long and beautiful suburbs. The extent of the new walls, erected by Aurelian, and finished in the reign of Probus, was between eleven and twelve miles. It was a great but a melancholy labour, since the defence of the capital betrayed the decline of the monarchy. The Romans of a more prosperous age, who trusted to the arms of the legions the safety of the frontier camps, were very far from entertaining a suspicion that it would ever become necessary to fortify the seat of empire against the inroads of the barbarians.

Defeats Tetricus in Gaul.

§ 5. The victory of Claudius over the Goths, and the success of Aurelian against the Alemanni, had already restored to the arms of Rome their ancient superiority over the barbarous nations of the North. To chastise domestic tyrants, and to reunite the dismembered parts of the empire, was a task

* Dacia had been practically lost during the life-time of Gallienus. Aurelian withdrew the garrisons from the strong places still held in the province to the southern bank of the Danube, and, by the settlement of these and of the relics of the Roman population, created, between Upper and Lower Mœsia, two new provinces which bore the names Dacia Ripensis and Dacia Mediterranea.

† The first was at Fano, the second in the plain of Ticinum (Pavia).

reserved for the second of those warlike emperors. Though he was acknowledged by the senate and people, the frontiers of Italy, Africa, Illyricum, and Thrace, confined the limits of his reign. Gaul, Spain, and Britain, Egypt, Syria, and Asia Minor, were still possessed by two rebels, who alone, out of so numerous a list, had hitherto escaped the dangers of their situation; and to complete the ignominy of Rome, these rival thrones had been usurped by women.

A rapid succession of monarchs had arisen and fallen in the provinces of Gaul. After the assassination of Victorinus, who had succeeded Postumus, Victorina, the mother of the former, controlled for a long time the fierce legions of Gaul, placed Tetricus on the throne,* and reigned with a manly vigour under the name of this dependent emperor. Money of copper, of silver, and of gold, was coined in her name; she assumed the titles of Augusta and Mother of the Camps;† and her power ended only with her life. After her death Tetricus continued to reign over Gaul, Spain, and Britain, the slave and sovereign of a licentious army, whom he dreaded, and by whom he was despised. The valour and fortune of Aurelian at length opened the prospect of a deliverance. Tetricus ventured to disclose his melancholy situation, and conjured the emperor to hasten to the relief of his unhappy rival. He affected the appearances of a civil war, led his forces into the field against Aurelian, posted them in the most disadvantageous manner, betrayed his own counsels to the enemy, and with a few chosen friends deserted in the beginning of the action (A.D. 273).

Character and reign of Zenobia.

§ 6. In the preceding year his other rival had fallen. Zenobia was esteemed the most lovely as well as the most heroic of her sex. She was of a dark complexion; her teeth were of a pearly whiteness, and her large black eyes sparkled with uncommon fire, tempered by the most attractive sweetness. Her manly understanding was strengthened and adorned by study. She was not ignorant of the Latin tongue, but possessed in equal perfection the Greek, the Syriac, and the Egyptian languages. She had drawn up for her own use an epitome of oriental history, and familiarly compared the beauties of Homer and Plato under the tuition of the sublime Longinus. This accomplished woman gave her hand to Odænathus, who, from a private station, raised himself to the dominion of the East. She soon became the friend and companion of a hero. In the intervals of war Odænathus passionately delighted in the exercise of hunting; he pursued with ardour the wild beasts

* On the succession of these Gallic emperors, see Schiller, *Geschichte*, i. p. 855, n. 3, and Mommsen, *Provinces*, i. p. 164, n. The order was "Marius, Victorinus, Tetricus." The last had been governor of Aquitania.

† The title *mater castrorum* had been borne by the younger Faustina, wife of M. Aurelius, and by Julia Domna, wife of Septimius Severus. See Wilmanns, *Exempla Inscriptionum Latinarum*, *Index*, p. 517, and Mommsen, *Staatsrecht*, ii. p. 823.

of the desert, lions, panthers, and bears; and the ardour of Zenobia in that dangerous amusement was not inferior to his own. She had inured her constitution to fatigue, disdained the use of a covered carriage, generally appeared on horseback in a military habit, and sometimes marched several miles on foot at the head of the troops. The success of Odænathus was in a great measure ascribed to her incomparable prudence and fortitude. Their splendid victories over the Great King, whom they twice pursued as far as the gates of Ctesiphon, laid the foundations of their united fame and power. The armies which they commanded, and the provinces which they had saved, acknowledged not any other sovereigns than their invincible chiefs. The senate and people of Rome revered a stranger who had avenged their captive emperor, and even the insensible son of Valerian accepted Odænathus for his legitimate colleague.* After the assassination of Odænathus by his nephew Mæonius (A.D. 267), Zenobia filled the vacant throne, and governed with manly counsels Palmyra, Syria, and the East, above five years. The emperor Claudius acknowledged her merit, and was content that, while *he* pursued the Gothic war, *she* should assert the dignity of the empire in the East. The conduct, however, of Zenobia was attended with some ambiguity; nor is it unlikely that she had conceived the design of erecting an independent and hostile monarchy. She bestowed on her three sons a Latin education, and often showed them to the troops adorned with the Imperial purple. For herself she reserved the diadem, with the splendid but doubtful title of Queen of the East.†

Aurelian defeats and takes Zenobia prisoner: rebellion and ruin of Palmyra.

§ 7. Zenobia would have ill deserved her reputation, had she indolently permitted the emperor of the West to approach within an hundred miles of her capital. The fate of the East was decided in two great battles; the first was fought near Antioch, and the second near Emesa; and in both the forces of Zenobia were completely defeated. The queen found it impossible to collect a third army. As far as the frontier of Egypt, the nations subject to her empire had joined the standard of the conqueror, who detached Probus, the bravest of his generals, to possess himself of the Egyptian provinces. Palmyra was the last resource of the widow of Odænathus. She retired within the walls of her capital, made every preparation for a vigorous resistance, and declared, with the intrepidity of a heroine, that the last moment of her reign and of her life should be the same.

Amid the barren deserts of Arabia a few cultivated spots rise like islands out of the sandy ocean. Even the name of Tadmor, or Palmyra, by its signification in the Syriac as well as in the Latin language, denoted the multitude of palm-trees which afforded shade and verdure to that temperate region. The air was pure, and the soil, watered by some invaluable springs, was

* For the legal position of Odænathus, see note on ch. v. § 13.

† In A.D. 270 she took the title Augusta, perhaps decreed her by Aurelian. See Von Sallet, *Die Fürsten von Palmyra*, pp. 51-55.

capable of producing fruits as well as corn. A place possessed of such singular advantages, and situated at a convenient distance between the Gulf of Persia and the Mediterranean, was soon frequented by the caravans which conveyed to the nations of Europe a considerable part of the rich commodities of India. Palmyra insensibly increased into an opulent and independent city, and, connecting the Roman and the Parthian monarchies by the mutual benefits of commerce, was suffered to observe an humble neutrality, till at length, after the victories of Trajan, the little republic sunk into the bosom of Rome, and flourished more than 150 years in the subordinate though honourable rank of a colony. It was during that peaceful period, if we may judge from a few remaining inscriptions, that the wealthy Palmyrenians constructed those temples, palaces, and porticos of Grecian architecture, whose ruins, scattered over an extent of several miles, have deserved the curiosity of our travellers.*

The siege of Palmyra was pressed with vigour by Aurelian, but the defence was equally obstinate. At length the city began to suffer from famine; the death of Sapor, which happened about this time, deprived Zenobia of the help which she had expected from the Persian monarch; and, seeing herself cut off from all hope of succour, she resolved to fly. She mounted the fleetest of her dromedaries, and had already reached the banks of the Euphrates, about 60 miles from Palmyra, when she was overtaken by the pursuit of Aurelian's light horse, seized and brought back a captive to the feet of the emperor. Her capital soon afterwards surrendered, and was treated with unexpected lenity (A.D. 272).

When the Syrian queen was brought into the presence of Aurelian, he sternly asked her, How she had presumed to rise in arms against the emperors of Rome? The answer of Zenobia was a prudent mixture of respect and firmness. "Because I disdained to consider as Roman emperors an Aureolus or a Gallienus. You alone I acknowledge as my conqueror and my sovereign." But the courage of Zenobia deserted her in the hour of trial; she trembled at the angry clamours of the soldiers, who called aloud for her immediate execution, and ignominiously purchased life by the sacrifice of her fame and her friends. It was to their counsels, which governed the weakness of her sex, that she imputed the guilt of her obstinate resistance; it was on their heads that she directed the vengeance of the cruel Aurelian. The fame of Longinus, who was included among the numerous and perhaps innocent victims of her fear, will survive that of the queen who betrayed, or the tyrant who condemned him. Genius and learning were incapable of moving a fierce unlettered soldier, but they had served to elevate and harmonise the soul of Longinus. Without uttering a complaint, he calmly followed the executioner, pitying his unhappy mistress, and bestowing comfort on his afflicted friends.

* See Appendix, note 1, on "Palmyra."

Returning from the conquest of the East, Aurelian had already crossed the straits which divide Europe from Asia, when he was provoked by the intelligence that the Palmyrenians had massacred the governor and garrison which he had left among them, and again erected the standard of revolt. Without a moment's deliberation, he once more turned his face towards Syria. The helpless city of Palmyra felt the irresistible weight of his resentment. Its inhabitants were butchered without distinction of age or sex; and the seat of commerce, of arts, and of Zenobia, gradually sunk into an obscure town, a trifling fortress, and at length a miserable village (A.D. 273).* The present citizens of Palmyra, consisting of thirty or forty families, have erected their mud-cottages within the spacious court of a magnificent temple.

Aurelian suppresses the rebellion of Firmus in Egypt.

§ 8. Another and a last labour still awaited the indefatigable Aurelian; to suppress a dangerous though obscure rebel, who, during the revolt of Palmyra, had arisen on the banks of the Nile. Firmus, the friend and ally, as he proudly styled himself, of Odænathus and Zenobia, was no more than a wealthy merchant of Egypt.† The Egyptians he inflamed with the hope of freedom, and, at the head of their furious multitude, broke into the city of Alexandria, where he assumed the Imperial purple, coined money, published edicts, and raised an army, which, as he vainly boasted, he was capable of maintaining from the sole profits of his paper trade. Such troops were a feeble defence against the veteran forces of Aurelian; and it seems almost unnecessary to relate that Firmus was routed, taken, tortured, and put to death. Aurelian might now congratulate the senate, the people, and himself, that in little more than three years he had restored universal peace and order to the Roman world.

His triumph: his treatment of Tetricus and Zenobia.

§ 9. Since the foundation of Rome no general had more nobly deserved a triumph than Aurelian; nor was a triumph ever celebrated with superior pride and magnificence (A.D. 273). The victories of Aurelian were attested by the long train of captives who reluctantly attended his triumph—Goths, Vandals, Sarmatians, Alemanni, Franks, Gauls, Syrians, and Egyptians. The emperor Tetricus and the queen of the East preceded the magnificent chariot, on which Aurelian made his triumphal entry. So long and so various was the pomp of the triumph, that, although it opened with the dawn of day, the slow majesty of the procession ascended not the Capitol before the ninth hour; and it was already dark when the emperor returned to the palace. The festival was protracted by theatrical representations, the games of the circus, the hunting of wild beasts,

* The siege was probably in the spring of 272, the final destruction of the town in the spring of 273 (Waddington—Le Bas, iii. p. 605).

† He is said to have been originally a merchant of Seleucia. Mommsen (*Provinces*, ii. p. 111) regards the story of the revolt of Firmus as very doubtful. It rests only on the insecure evidence of the imperial biographies.

combats of gladiators, and naval engagements. Liberal donatives were distributed to the army and people. A considerable portion of his oriental spoils was consecrated to the gods of Rome; and the temple of the Sun alone received above 15,000 pounds of gold. This last was a magnificent structure, erected by the emperor on the side of the Quirinal hill, and dedicated, soon after the triumph, to that deity whom Aurelian adored as the parent of his life and fortunes.*

Aurelian behaved towards Tetricus and Zenobia with a generous clemency which was seldom exercised by the ancient conquerors. Princes who, without success, had defended their throne or freedom, were frequently strangled in prison as soon as the triumphal pomp ascended the Capitol. These usurpers, whom their defeat had convicted of the crime of treason, were permitted to spend their lives in affluence and honourable repose. The emperor presented Zenobia with an elegant villa at Tibur or Tivoli, about 20 miles from the capital; the Syrian queen insensibly sunk into a Roman matron, her daughters married into noble families, and her race was not yet extinct in the fifth century. Tetricus and his son were reinstated in their rank and fortunes.†

Suppresses an insurrection at Rome: marches into the East: his assassination.

§ 10. The arms of Aurelian had vanquished the foreign and domestic foes of the republic. But soon after his triumph a formidable insurrection broke out at Rome. It is said to have been excited by the workmen of the mint, but its real cause and object are uncertain. So formidable was its character that in its suppression Aurelian lost 7000 of his veteran soldiers. He used his victory with unrelenting rigour. He was naturally of a severe disposition. Trained from his earliest youth in the exercise of arms, he set too small a value on the life of a citizen, chastised by military execution the slightest offences, and transferred the stern discipline of the camp into the civil administration of the laws. The unprovoked rebellion with which the Romans rewarded his services exasperated his haughty spirit. The noblest families of the capital were involved in the guilt or suspicion of this dark conspiracy. A hasty spirit of revenge urged the bloody prosecution, and the unhappy senate lamented the death or absence of its most illustrious members. Nor was the pride of Aurelian less offensive to that assembly than his cruelty. Ignorant or impatient of the restraints of civil institutions, he disdained to hold his power by any other title than that of the sword, and governed by right of conquest an empire which he had saved and subdued.

In the same year (A.D. 274) Aurelian marched into the East against the Persian monarch. A secretary, whom he had threatened with punishment, forged a document in his master's

* This structure was doubtless suggested by the great temple of the sun-god at Palmyra, which was stripped of its ornaments to deck the new shrine at Rome.

† Tetricus was made *corrector* of Lucania (Victor, *Cæsares*, c. 35).

hand, in which the principal officers of Aurelian were doomed to death. He showed them the long and bloody list; and they, without suspecting or examining the fraud, resolved to secure their lives by the murder of the emperor. On his march, between Byzantium and Heraclea, Aurelian was suddenly attacked by the conspirators, whose stations gave them a right to surround his person, and, after a short resistance, fell by the hand of Mucapor, a general whom he had always loved and trusted (A.D. 275). He died regretted by the army, detested by the senate, but universally acknowledged as a warlike and fortunate prince, the useful though severe reformer of a degenerate state.

Reign of Tacitus.

§ 11. Such was the unhappy condition of the Roman emperors, that, whatever might be their conduct, their fate was commonly the same. A life of pleasure or virtue, of severity or mildness, of indolence or glory, alike led to an untimely grave; and almost every reign is closed by the same disgusting repetition of treason and murder. The death of Aurelian, however, is remarkable by its extraordinary consequences. The legions admired, lamented, and revenged their victorious chief. The artifice of his perfidious secretary was discovered and punished. They resolved that none of those whose guilt or misfortune had contributed to their loss should ever reign over them, and requested the senate to appoint a successor to the Imperial throne. The senate, however, declined the flattering appeal, and dictated a decree by which the election of a new emperor was referred to the suffrage of the military order. The troops, as if satiated with the exercise of power, again conjured the senate to invest one of its own body with the Imperial purple. The senate still persisted in its refusal; the army in its request. The reciprocal offer was pressed and rejected at least three times; and it was not till seven months had elapsed that the senate raised to the purple one of the most virtuous of their body, the aged Tacitus, who was then 75 years of age, and who claimed descent from the philosophic historian whose writings will instruct the last generations of mankind (Sept. 25, A.D. 275). The election of Tacitus was confirmed by the army. He proceeded to the Thracian camp, and marched in person against the Alani, a Scythian people,* who pitched their tents in the neighbourhood of the lake Mæotis, and who were ravaging the provinces of Pontus, Cappadocia, Cilicia, and Galatia. Seconded by an army of brave and experienced veterans, he soon defeated the barbarians, and delivered the provinces of Asia from the terror of the Scythian invasion.

But the glory and life of Tacitus were of short duration. Transported in the depth of winter from the soft retirement of Campania to the foot of Mount Caucasus, he sunk under the unaccustomed hardships of a military life. The fatigues of the body were aggravated by the cares of the mind. For a while

* See note to ch. iv. § 1.

the angry and selfish passions of the soldiers had been suspended by the enthusiasm of public virtue. They soon broke out with redoubled violence, and raged in the camp, and even in the tent of the aged emperor. It may be doubtful whether the soldiers imbrued their hands in the blood of this innocent prince. It is certain that their insolence was the cause of his death. He expired at Tyana in Cappadocia, after a reign of only six months and about twenty days (April 12, A.D. 276).

Usurpation of Florianus: accession of PROBUS.

§ 12. The eyes of Tacitus were scarcely closed before his brother Florianus showed himself unworthy to reign by the hasty usurpation of the purple, without expecting the approbation of the senate. The reverence for the Roman constitution, which yet influenced the camp and the provinces, was sufficiently strong to dispose them to censure, but not to provoke them to oppose, the precipitate ambition of Florianus. The discontent would have evaporated in idle murmurs, had not the general of the East, the heroic Probus, boldly declared himself the avenger of the senate. Florianus attempted to support his title by arms, and advanced as far as Cilicia against his rival, but after a reign of about three months his own soldiers delivered the empire from civil war by the easy sacrifice of a prince whom they despised.

The peasants of Illyricum, who had already given Claudius and Aurelian to the sinking empire, had an equal right to glory in the elevation of Probus. Probus had filled several of the highest military offices with honour and success. Aurelian was indebted to him for the conquest of Egypt, and still more indebted for the honest courage with which he often checked the cruelty of his master. Tacitus named him commander-in-chief of all the eastern provinces. When Probus ascended the Imperial throne he was about 44 years of age, in the full possession of his fame, of the love of the army, and of a mature vigour of mind and body. His acknowledged merit, and the success of his arms against Florianus, left him without an enemy or a competitor. Yet he submitted his claims to the senate, who joyfully ratified the election of the eastern armies, and conferred on their chief all the several branches of the Imperial dignity (August 3, A.D. 276).

Victories of Probus over the barbarians: he builds a wall from the Rhine to the Danube.

§ 13. The strength of Aurelian had crushed on every side the enemies of Rome. After his death they seemed to revive with an increase of fury and of numbers. They were again vanquished by the active vigour of Probus, who, in a short reign of about six years, equalled the fame of ancient heroes, and restored peace and order to every province of the Roman world. The dangerous frontier of Rhætia he so firmly secured that he left it without the suspicion of an enemy. He broke the wandering power of the Sarmatian tribes, and by the terror of his arms compelled those barbarians to relinquish their spoil. The Gothic nation courted the alliance of so warlike an emperor. He attacked the Isaurians * in their mountains, besieged and

* These robber tribes of the Cilician mountains, who were brigands by

took several of their strongest castles, and flattered himself that he had for ever suppressed a domestic foe whose independence so deeply wounded the majesty of the empire. The troubles excited by the usurper Firmus in the Upper Egypt had never been perfectly appeased, and the cities of Ptolemais and Coptos, fortified by the alliance of the Blemmyes, still maintained an obscure rebellion. The chastisement of those cities, and of their auxiliaries the savages of the South, is said to have alarmed the court of Persia, and the Great King sued in vain for the friendship of Probus.* Most of the exploits which distinguished his reign were achieved by the personal valour and conduct of the emperor. The remaining actions he intrusted to the care of his lieutenants, the judicious choice of whom forms no inconsiderable part of his glory. Carus, Diocletian, Maximian, Constantius, Galerius, and a crowd of other chiefs, who afterwards ascended or supported the throne, were trained to arms in the severe school of Aurelian and Probus.

But the most important service which Probus rendered to the republic was the deliverance of Gaul, and the recovery of seventy flourishing cities oppressed by the barbarians of Germany, who, since the death of Aurelian, had ravaged that great province with impunity. Not content with driving the barbarians out of Gaul, Probus passed the Rhine, and displayed his invincible eagles on the banks of the Elbe and the Neckar. He was fully convinced that nothing could reconcile the minds of the barbarians to peace, unless they experienced in their own country the calamities of war. Germany, exhausted by the ill success of the last emigration, was astonished by his presence, and submitted to his commands. The Germans were compelled to restore the effects and captives which they had carried away from the provinces; and a considerable tribute of corn, cattle, and horses, the only wealth of barbarians, was reserved for the use of the garrisons which Probus established on the limits of their territory. The conqueror, however, wisely relinquished the attempt of reducing the warlike natives of Germany to the condition of subjects, and contented himself with the humble expedient of raising a bulwark against their inroads. The country which forms the ancient circle of Swabia had been left desert in the age of Augustus by the emigration of its ancient inhabitants. The fertility of the soil soon attracted a new colony from the adjacent provinces of Gaul. Crowds of adventurers occupied the doubtful possession, and acknowledged, by the payment of tithes, the majesty of the empire. To protect these new subjects a line of frontier garrisons was gradually

land and pirates by sea, are first mentioned as dangerous enemies to the peace of the Empire in the reign of Severus Alexander. Under Probus one of their chiefs, Lydius, who had been proclaimed Emperor, was with difficulty subdued. See Mommsen, *Provinces*, i. p. 337.

* The Persian king was Vahraran II., who had been on the throne since A.D. 276.

extended from the Rhine to the Danube. About the reign of Hadrian, when that mode of defence began to be practised, these garrisons were connected and covered by a strong entrenchment of trees and palisades. In the place of so rude a bulwark, the emperor Probus constructed a stone wall of a considerable height, and strengthened it by towers at convenient distances.* From the neighbourhood of Neustadt and Ratisbon on the Danube, it stretched across hills, valleys, rivers, and morasses, as far as Wimpfen on the Neckar, and at length terminated on the banks of the Rhine, after a winding course of near 200 miles. This important barrier, uniting the two mighty streams that protected the provinces of Europe, seemed to fill up the vacant space through which the barbarians, and particularly the Alemanni, could penetrate with the greatest facility into the heart of the empire. But the experience of the world, from China to Britain, has exposed the vain attempt of fortifying any extensive tract of country. Within a few years after the death of Probus, the wall which he had erected was overthrown by the Alemanni. Its scattered ruins, universally ascribed to the power of the Dæmon, now serve only to excite the wonder of the Swabian peasant.

Introduction and settlement of the barbarians.

§ 14. Among the useful conditions of peace imposed by Probus on the vanquished nations of Germany, was the obligation of supplying the Roman army with 16,000 recruits, the bravest and most robust of their youth. The emperor dispersed them through all the provinces, and distributed this dangerous reinforcement, in small bands of 50 or 60 each, among the national troops; judiciously observing that the aid which the republic derived from the barbarians should be felt but not seen. Their aid was now become necessary. The feeble elegance of Italy and the internal provinces could no longer support the weight of arms. The hardy frontier of the Rhine and Danube still produced minds and bodies equal to the labours of the camp; but a perpetual series of wars had gradually diminished their numbers. The infrequency of marriage, and the ruin of agriculture, affected the principles of population, and not only destroyed the strength of the present, but intercepted the hope of future generations. The wisdom of Probus embraced a great and beneficial plan of replenishing the exhausted frontiers, by new colonies of captive or fugitive barbarians, on whom he bestowed lands, cattle, instruments of husbandry, and every encouragement that might engage them to educate a race of soldiers for the service of the republic. Into Britain he transported a considerable body of Vandals. Great numbers of Franks and Gepidæ were settled on the banks of the Danube and the Rhine.†

* For Hadrian's work and the supposed "wall" of Probus, see Appendix, note 2, "The Pfahlgraben."

† This was not wholly a new policy. Marcus Aurelius had settled barbarians in Pannonia and Mœsia. Further introductions of these agrarian settlers (*coloni*) had been made by Gallienus and Claudius II.

An hundred thousand Bastarnæ,* expelled from their own country, cheerfully accepted an establishment in Thrace, and soon imbibed the manners and sentiments of Roman subjects.

§ 15. While Probus was engaged in his wars against the barbarians, Saturninus revolted in the East (A.D. 279), and Bonosus and Proculus in Gaul (A.D. 280). Both these revolts were easily put down; and in A.D. 281 Probus returned to Rome, after suppressing all the foreign and domestic enemies of the state. The triumph due to the valour of Probus was conducted with a magnificence suitable to his fortune; and the people, who had so lately admired the trophies of Aurelian, gazed with equal pleasure on those of his heroic successor. Probus returns to Rome: his triumph: his discipline: his death.

The military discipline which reigned in the camps of Probus was less cruel than that of Aurelian, but it was equally rigid and exact. The latter had punished the irregularities of the soldiers with unrelenting severity, the former prevented them by employing the legions in constant and useful labours. When Probus commanded in Egypt, he executed many considerable works for the splendour and benefit of that rich country. The navigation of the Nile, so important to Rome itself, was improved; and temples, bridges, porticoes, and palaces, were constructed by the hands of the soldiers, who acted by turns as architects, as engineers, and as husbandmen. But, in the prosecution of a favourite scheme, the best of men, satisfied with the rectitude of their intentions, are subject to forget the bounds of moderation; nor did Probus himself sufficiently consult the patience and disposition of his fierce legionaries. In one of the hottest days of summer, as he severely urged the unwholesome labour of draining the marshes of Sirmium, the soldiers, impatient of fatigue, on a sudden threw down their tools, grasped their arms, and broke out into a furious mutiny. The emperor, conscious of his danger, took refuge in a lofty tower constructed for the purpose of surveying the progress of the work. The tower was instantly forced, and a thousand swords were plunged at once into the bosom of the unfortunate Probus. The rage of the troops subsided as soon as it had been gratified. They then lamented their fatal rashness, forgot the severity of the emperor whom they had massacred, and hastened to perpetuate, by an honourable monument, the memory of his virtues and victories (October, A.D. 282).

§ 16. When the legions had indulged their grief and repentance Reign of CARUS: his Persian victories and death.

Partly by these settlements, partly by the recruiting of barbarians for the army, a Germanic invasion of the Empire had been made long before the passage of the Danube under Valens (ch. xiv. § 5). For the Vandals, see note on ch. xv. § 8.

* This is the most easterly branch of the Germanic race. The *montes Bastarnici* (Carpathians between Transylvania and Moldavia) separated the Bastarnæ from the Dacians on the south, and they stretched from the mouths of the Danube and from the Black Sea on the east to the Vistula on the west.

for the death of Probus, their unanimous consent declared Carus, his Prætorian præfect, the most deserving of the Imperial throne. He enjoyed an acknowledged character of virtue and abilities; but his austere temper insensibly degenerated into moroseness and cruelty: and the imperfect writers of his life almost hesitate whether they shall not rank him in the number of Roman tyrants. When Carus assumed the purple he was about 60 years of age, and his two sons, Carinus and Numerian, had already attained the season of manhood. The authority of the senate expired with Probus; nor was the repentance of the soldiers displayed by the same dutiful regard for the civil power which they had testified after the unfortunate death of Aurelian. The election of Carus was decided without expecting the approbation of the senate, and the new emperor contented himself with announcing, in a cold and stately epistle, that he had ascended the vacant throne. He conferred on his two sons the title of Cæsar; left Carinus in command of the Western provinces; and taking with him his younger son, Numerian, set out for the East, with the view of attacking the Persian empire. Upon reaching the confines of the empire, the Persian monarch, Varanes, or Bahram,* endeavoured to retard his progress by a negotiation of peace. His ambassadors entered the camp about sunset, at the time when the troops were satisfying their hunger with a frugal repast. The Persians expressed their desire of being introduced to the presence of the Roman emperor. They were at length conducted to a soldier who was seated on the grass. A piece of stale bacon and a few hard peas composed his supper. A coarse woollen garment of purple was the only circumstance that announced his dignity. The conference was conducted with the same disregard of courtly elegance. Carus, taking off a cap which he wore to conceal his baldness, assured the ambassadors that, unless their master acknowledged the superiority of Rome, he would speedily render Persia as naked of trees as his own head was destitute of hair. Notwithstanding some traces of art and preparation, we may discover in this scene the manners of Carus, and the severe simplicity which the martial princes who succeeded Gallienus had already restored in the Roman camps. The ministers of the Great King trembled and retired.

The threats of Carus were not without effect. He ravaged Mesopotamia, cut in pieces whatever opposed his passage, made himself master of the great cities of Seleucia and Ctesiphon, and carried his victorious arms beyond the Tigris. He had seized the favourable moment for an invasion. The Persian councils were distracted by domestic factions, and the greater part of their forces were detained on the frontiers of India. Rome and the East received with transport the news of such important advantages. But in the midst of these victories, Carus suddenly perished during a terrible storm, either by

* Vahraran II.; see § 13.

lightning or the treachery of his domestics (December, A.D. 283).*

Accession of CARINUS and NUMERIAN: character of Carinus.

§ 17. The vacancy of the throne was not productive of any disturbance. Numerian, with his absent brother Carinus, were unanimously acknowledged as Roman emperors.† The public expected that the successor of Carus would pursue his father's footsteps, and, without allowing the Persians to recover from their consternation, would advance sword in hand to the palaces of Susa and Ecbatana. But the legions, however strong in numbers and discipline, were dismayed by the most abject superstition. Places or persons struck with lightning were considered by the ancients with pious horror, as singularly devoted to the wrath of Heaven. An oracle was remembered which marked the river Tigris as the fatal boundary of the Roman arms. The troops, terrified with the fate of Carus and with their own danger, called aloud on young Numerian to obey the will of the gods, and to lead them away from this inauspicious scene of war. The feeble emperor was unable to subdue their obstinate prejudice, and the Persians wondered at the unexpected retreat of a victorious enemy.

Carinus.

The senate, as well as the provinces, congratulated the accession of the sons of Carus. These fortunate youths were strangers, however, to that conscious superiority, either of birth or of merit, which can alone render the possession of a throne easy, and as it were natural. Born and educated in a private station, the election of their father raised them at once to the rank of princes; and his death, which happened about sixteen months afterwards, left them the unexpected legacy of a vast empire. To sustain with temper this rapid elevation, an uncommon share of virtue and prudence was requisite; and Carinus, the elder of the brothers, was more than commonly

* If his death was due to a conspiracy of his officers, it was probably owing to their unwillingness to follow him into the heart of Asia (Schiller, *Geschichte*, i. p. 884).

† They had both had some share in the empire from the beginning of Carus' reign; but Carinus alone seems to have been styled Augustus during the lifetime of his father. See Mommsen, *Staatsrecht*, ii. p. 1164, n. 5.

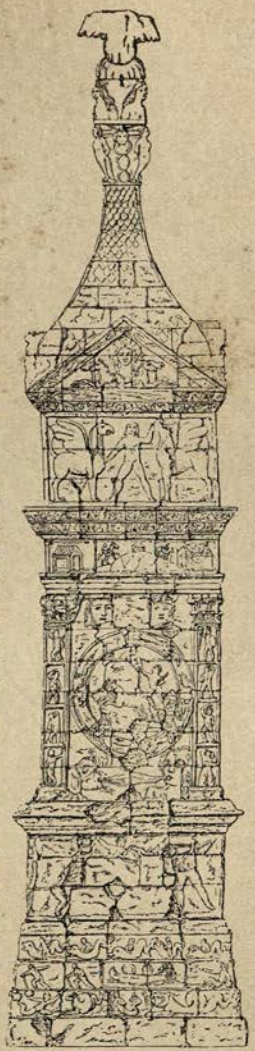
deficient in those qualities. He was soft, yet cruel; devoted to pleasure, but destitute of taste; and, though exquisitely susceptible of vanity, indifferent to the public esteem. From the dregs of the populace he selected his favourites, and even his ministers. The palace and even the Imperial table, was filled with singers, dancers, and all the various retinue of vice and folly. As soon as the father's death had released Carinus from the control of fear or decency, he displayed to the Romans the extravagances of Elagabalus, aggravated by the cruelty of Domitian.

The only merit of the administration of Carinus that history could record, was the uncommon splendour with which, in his own and his brother's name, he exhibited the Roman games of the theatre, the circus, and the amphitheatre. More than twenty years afterwards, when the courtiers of Diocletian represented to their frugal sovereign the fame and popularity of his munificent predecessor, he acknowledged that the reign of Carinus had indeed been a reign of pleasure. But this vain prodigality, which the prudence of Diocletian might justly despise, was enjoyed with surprise and transport by the Roman people. The oldest of the citizens, recollecting the spectacles of former days, the triumphal pomp of Probus or Aurelian, and the secular games of the emperor Philip, acknowledged that they were all surpassed by the superior magnificence of Carinus. In the midst of this glittering pageantry, the emperor Carinus, secure of his fortune, enjoyed the acclamations of the people, the flattery of his courtiers, and the songs of the poets. In the same hour, but at the distance of nine hundred miles from Rome, his brother expired; and a sudden revolution transferred into the hands of a stranger the sceptre of the house of Carus.

Death of Numerian.

§ 18. The character of Numerian was very different from that of his brother. In the most corrupt of times Carinus was unworthy to live: Numerian deserved to reign in a happier period. His affable manners and gentle virtues secured him, as soon as they became known, the regard and affections of the public. But his talents were rather of the contemplative than of the active kind. When his father's elevation reluctantly forced him from the shade of retirement, neither his temper nor his pursuits had qualified him for the command of armies. His constitution was destroyed by the hardships of the Persian war; and he had contracted, from the heat of the climate, such a weakness in his eyes, as obliged him, in the course of a long retreat, to confine himself to the solitude and darkness of a tent or litter. The administration of all affairs, civil as well as military, was devolved on Arrius Aper, the Prætorian præfect, who, to the power of his important office, added the honour of being father-in-law to Numerian. The Imperial pavilion was strictly guarded by his most trusty adherents; and during many days Aper delivered to the army the supposed mandates of their invisible sovereign.

It was not till eight months after the death of Carus that the Roman army, returning by slow marches from the banks of the Tigris, arrived on those of the Thracian Bosporus. The legions halted at Calchedon in Asia, while the court passed over to Heraclea, on the European side of the Propontis. But a report soon circulated through the camp of the emperor's death. The impatience of the soldiers could not long support a state of suspense. With rude curiosity they broke into the imperial tent, and discovered only the corpse of Numerian. The gradual decline of his health might have induced them to believe that his death was natural; but the concealment was interpreted as an evidence of guilt, and the measures which Aper had taken to secure his election became the immediate occasion of his ruin. Yet, even in the transport of their rage and grief, the troops observed a regular proceeding, which proves how firmly discipline had been re-established by the martial successors of Gallienus. A general assembly of the army was appointed to be held at Calchedon, whither Aper was transported in chains, as a prisoner and a criminal. A vacant tribunal was erected in the midst of the camp, and the generals and tribunes formed a great military council. They soon announced to the multitude that their choice had fallen on Diocletian, commander of the domestics or body-guards,* as the person the most capable of revenging and succeeding their beloved emperor (September 17, A.D. 284). The future fortunes of the candidate depended on the chance or conduct of the present hour. Conscious



Roman Monument at Igel near Trèves.

* He is described as *comes domesticorum* (see note to ch. x. § 11); but it is doubtful whether the body-guards were called *domestici* at this time, or whether Diocletian had the title of *comes*. See Schiller, *Geschichte*, III. i. 10.

that the station which he had filled exposed him to some suspicions, Diocletian ascended the tribunal, and, raising his eyes towards the Sun, made a solemn profession of his own innocence, in the presence of that all-seing Deity. Then assuming the tone of a sovereign and judge, he commanded that Aper should be brought in chains to the foot of the tribunal. "This man," said he, "is the murderer of Numerian;" and without giving him time to enter on a dangerous justification, drew his sword, and buried it in the breast of the unfortunate præfect. A charge supported by such decisive proof was admitted without contradiction, and the legions, with repeated acclamations, acknowledged the justice and authority of the emperor Diocletian.

Death of Carinus.

§ 19. Carinus possessed arms and treasures sufficient to support his legal title to the empire. But his personal vices overbalanced every advantage of birth and situation. The arts of Diocletian inflamed the general discontent; and the winter was employed in secret intrigues and open preparations for a civil war. In the spring the forces of the East and of the West encountered each other in the plains of Margus, a small city of Mœsia, in the neighbourhood of the Danube. The troops, so lately returned from the Persian war, had acquired their glory at the expense of health and numbers, nor were they in a condition to contend with the unexhausted strength of the legions of Europe. Their ranks were broken, and, for a moment, Diocletian despaired of the purple and of life. But the advantage which Carinus had obtained by the valour of his soldiers he quickly lost by the infidelity of his officers. A tribune, whose wife he had seduced, seized the opportunity of revenge, and by a single blow extinguished civil discord in the blood of the adulterer (A.D. 285).

[Schiller, *Geschichte der Römischen Kaiserzeit*, II. iv. §§ 82-88; Ranke, *Weltgeschichte*, III. i. c. 14. For the Eastern history, see the references at the end of Appendix, note 1.]

## APPENDIX.

### NOTE 1 (§ 7).—"PALMYRA."

Palmyra, during the later years of the Roman Republic, formed a kind of neutral station between the Parthian and Roman empires; its position made it a convenient point of communication between the Euphrates and the Mediterranean, and it was through this channel that the wares of India and Arabia reached the Western world. The caravan routes from the factories of the Persian Gulf, Forath and Charax, passed, through Vologesias on the Euphrates and through Palmyra, to Damascus, and onwards to the west. The caravans (*συνοδίαι*) and the caravan-leaders (*συνοδιάρχαι*) appear frequently in Palmyrene inscriptions; the former were public companies, the latter heads of these guilds, who were highly honoured in the state, and filled many of the magistracies of the city. But the state

had a military as well as a commercial importance; its territory touched the Euphrates and the Roman frontier near Callinicum; Palmyra was within the line of the Roman sphere of influence: and military as well as commercial considerations dictated that, in spite of its originally neutral position, it should be brought within the Roman protectorate. Fear of the nearer empire, and the occasional forward movements of the Parthians, might well have influenced the State in accepting the advances of Rome. It is difficult to say when a definite protectorate was established or how it was exercised by Rome. Traces of Roman political influence are found as early as the reign of the first Claudius; in 79 A.D. one of the tribes of the city, which perhaps represented real families of the native Arabs, is called the *φυλὴ* Κλαυδιάς. Yet even in Vespasian's time the state did not belong to the Roman empire; it still occupied the position of the early "buffer" kingdoms, such as Numidia in the west or Cappadocia in the east, and it may have been bound by treaty with Rome to give her military assistance whenever a frontier war required it. Its inclusion in the empire was probably due to the Emperor Trajan; from Hadrian, who visited the state, it received the name *Hadriana Palmyra;* and in the reign of Caracalla it appears as a *colonia*—the gift of this distinction being perhaps due to the emperor Septimius Severus. The caravan routes were strengthened by military posts, and Palmyra became one of the starting points for Roman expeditions against the Parthian empire.

The constitution of the state, like its civilisation and its language, was a curious compromise between opposing types—that of an oriental dynasty and that of a Greek city. Inscriptions show the magistrates and the council to have been of an Hellenic type, or at least to have borne Hellenic names; but, during the great period of Palmyrene ascendancy, the headship of the state was vested in a native chieftain, on whom the Romans had conferred senatorial rank. Thus Hairanes, son of Septimius Odænathus I., was at once *συγκλητικός* (*vir senatorius*) and *ἔξαρχος Παλμυρηνῶν* (*princeps Palmyrenorum*, Waddington-Le Bas, *Voyage Archéologique*, i. n. 2600); Septimius Odænathus II. was, as we have seen, of consular rank.

The splendour of the city, still shown by its temples and colonnades, did not rest on any natural sources of wealth. Agriculture could never have flourished, although the great reservoirs which still remain must have given an artificial stimulus to vegetation. Caravan routes had created its adventitious greatness; when the city was destroyed, and these took another turn, it could never hope to revive. Yet its military importance continued to be recognised. Under Diocletian it was a frontier garrison (*φρούριον*), and we read in Procopius (*de ædificiis*, ii. 11) of its fortifications being strengthened by Justinian.

[Marquardt, *Staatsverwaltung*, i. p. 413; Mommsen, *Provinces*, ii. p. 93 (ch. 9); Von Sallet, *die Fürsten von Palmyra;* Waddington-Le Bas, *Voyage Archéologique;* Schiller, *Geschichte*, II. iv. 81.]

## NOTE 2 (§ 13).—"THE *PFAHLGRABEN*."

The "*limes Raeticus et Germanicus*," or *Pfahlgraben*, was the last stage in the defence of the Roman frontier lines of the Upper Danube and the Upper Rhine. It was the gradual creation of the Flavian and Antonine emperors, under whose reigns a system of artificial defence was made to replace the natural boundaries to the empire sought by their predecessors. When the earlier design of Augustus to draw the limit of Roman dominion on the Elbe had been abandoned, the Rhine along its whole course and the Danube were considered by that emperor to be the natural frontiers. The weak points of this system from a strategic point of view were the long line of defence it involved, and the want of a natural barrier along the upper courses of these two rivers. When the first pressure from the barbarians was felt, means had to be adopted to create a shorter and surer

system of defence. The first step was an advance from the Rhine to the Neckar made by the Flavian emperors; the second, a further advance eastward and the completion of communications with the Danube, was effected by the princes of the Antonine house. From the scanty literary notices of these movements we gather that the largest shares in it are to be assigned to Domitian in the first period, and to Hadrian in the second. The notices are as follows:—

Frontinus, *Strategematica*, i., 3, 10. "Imperator Cæsar Domitianus Augustus, cum Germani more suo e saltibus et obscuris latebris subinde impugnarent nostros, tutumque regressum in profunda silvarum haberent, *limitibus* per centum viginti millia passuum actis, non mutavit tantum statum belli, sed subjecit ditioni suæ hostes, quorum refugia nudaverat." *Vita Hadriani*, 12, 6, "per ea tempora et alias frequenter in plurimis locis, in quibus barbari *non fluminibus sed limitibus dividuntur*, stipitibus magnis in modum muralis saepis funditus jactis atque conexis barbaros separavit."

This barrier is spoken of as a *limes*, a word which, in its original applications, conveyed the notion both of a raised embankment and of a road. The *limites*, in the military and agrarian settlements of the Romans, were earth-banks running parallel to one another, which divided the various parcels of land measured out in the colonial assignation; in the developed settlement they served the purposes of roads (*Frontinus de controversiis*, p. 24. "Omnes enim limites secundum legem colonicam itineri publico servire debent;" Marquardt, *Staatsverwaltung*, i. p. 128; Roby, in Smith's *Dictionary of Greek and Roman Antiquities*, i. p. 50). It has been thought that, in the Roman system of frontier defence, *limes* may have retained this double meaning and been at once a boundary and a road; but no trace of this two-fold purpose is discernible either in the Pfahlgraben or in the British wall; in the case of the former there is no evidence even for an inner line of defence, which the recognition of the *limes* as a road appears to necessitate. (See Pelham, *The Roman Frontier System*, p. 175 of vol. xiv. of the Transactions of the Cumberland and Westmoreland Antiquarian and Archæological Society.)

The Pfahlgraben consisted of a low earthen wall (*vallum*), of a ditch in front of it defended by palisades, and of a chain of military posts (*præsidia*)—the towers and castles (*burgi et castella*), which were the fixed accompaniment of all such lines of defence. [Mommsen considers that the wall itself *replaced* the earlier palisades (*stipites*). (*Provinces*, i. p. 155, n. 1.)] The lines began at Kelheim, near Regensburg (*Castra Regina*), on the Danube, surmounted Weissenburg in a western direction, and ended near Lorch in Würtemburg at a locality almost parallel to their point of departure. This was the *limes Rœticus*. They then bore due north to form the *limes* of Upper Germany, following at varying degrees of distance the course of the Upper Rhine; their place was taken for some distance by the Main; they turned southward again above Mount Taunus, and, taking a final northern turn, joined the Rhine at a point below Remagen (*Rigomagus*). They were not continued further, the lower Rhine and Yssel forming the imperial boundary from this point onwards.

Within the territory thus secured between the upper Rhine and the *limes* were the *agri decumates*, settled by Gauls (Tacitus, *Germania*, c. 29), and deriving their name probably from the tithes (*decumæ*) paid by their possessors. The territory was gradually Romanised and civilised, and Imperial troops were stationed in it. But, probably by the time of Gallienus, certainly by that of Aurelian, the defences had proved vain against the assaults of the barbarians, and the *limes* had been broken through. It is doubtful whether Probus made any serious attempt to restore it to its pristine form. His biographer thus describes his efforts (*Vita Probi*, 13, 8; 14, 1):—

"Contra urbes Romanas castra in solo barbarico posuit atque illic milite

collocavit. Agros et horrea et domos et annonam Transrhenanis omnibus fecit, his videlicet quos in excubiis conlocavit."

The passage certainly does not warrant a belief in the restoration of the Pfahlgraben. Schiller, indeed, holds this view; he thinks that Probus restored the boundary, *vallum* of the *agri decumates*, from Regensburg to Mainz (*Geschichte*, ii., 4, 85); but Mommsen states what is, on the whole, the more probable view, "that he did not renew the lines of the earlier time, but contented himself with erecting and occupying at the more important positions of the Rhine *têtes de pont* on the other (*i.e.* eastern) bank" (*Provinces*, c. 4, i. p. 167).

[Marquardt, *Staatsverw.*, i. p. 277; Mommsen, *Prov.* c. 4; i. p. 152; Hübner, *Der römische Grenzwall in Deutschland* (Jahrbücher des Vereins von Alterthumsfreunden im Rheinlande, LXIII. p. 17); Hodgkin, *The Pfahlgraben* in Archæologica Aeliana; Zangemeister, *Westdeutsche Zeitschrift*, iii, p. 246; Cohausen *Römische Grenzwall*; von Sarvey (O.) and Hettner (F.); *Der obergermanisch-rætische Limes des Romerreichs* is appearing in parts (six parts have been published).]

The Courtyard of Diocletian's Palace at Spalatro (see § 13). (From an 18th-century engraving.)

## CHAPTER VII.

### REIGN OF DIOCLETIAN, AND HIS THREE ASSOCIATES, MAXIMIAN, GALERIUS, AND CONSTANTIUS.

§ 1. Elevation and character of DIOCLETIAN. § 2. Diocletian confers the title of Augustus upon MAXIMIAN: his character: Diocletian confers the title of Cæsar upon GALERIUS and CONSTANTIUS: their character. § 3. Suppression of the rebellion of the Bagaudæ in Gaul: revolt of Carausius in Britain: his death: recovery of Britain by Constantius. § 4. Defence of the frontiers of the empire: wars in Africa and Egypt. § 5. The Persian War: restoration of Tiridates to Armenia: his expulsion by the Persians. § 6. The two campaigns of Galerius against the Persians: treaty of peace between the Persians and Romans. § 7. Triumph of Diocletian and Maximian. § 8. Residence of the emperors at Milan and Nicomedia: debasement of Rome and the Senate. § 9. Diocletian assumes new imperial titles, and introduces the Persian ceremonial. § 10. New form of administration, two Augusti and two Cæsars. § 11. Increase of taxes. § 12. Abdication of Diocletian and Maximian. § 13. Retirement of Diocletian at Salona.

Elevation and character of DIOCLETIAN.

§ 1. As the reign of Diocletian was more illustrious than that of any of his predecessors, so was his birth more abject and obscure. The parents of Diocletian had been slaves in the

house of a Roman senator; nor was he himself distinguished by any other name than that which he derived from a small town in Dalmatia, from whence his mother deduced her origin.* It is, however, probable that his father obtained the freedom of the family. Favourable oracles, or rather the consciousness of superior merit, prompted his aspiring son to pursue the profession of arms and the hopes of fortune. Diocletian was successively promoted to the government of Mœsia, the honours of the consulship, and the important command of the guards of the palace. He distinguished his abilities in the Persian war; and after the death of Numerian, the freedman's son, by the confession and judgment of his rivals, was declared the most worthy of the Imperial throne. The abilities of Diocletian were useful rather than splendid—a vigorous mind improved by the experience and study of mankind; dexterity and application in business; a judicious mixture of liberality and economy, of mildness and rigour; profound dissimulation under the disguise of military frankness; steadiness to pursue his ends; flexibility to vary his means; and, above all, the great art of submitting his own passions, as well as those of others, to the interest of his ambition, and of colouring his ambition with the most specious pretences of justice and public utility. Like Augustus, Diocletian may be considered as the founder of a new empire. Like the adopted son of Cæsar, he was distinguished as a statesman rather than as a warrior; nor did either of those princes employ force, whenever their purpose could be effected by policy.

§ 2. In the year after his accession Diocletian conferred the title of Augustus upon Maximian (A.D. 286), a fortunate soldier, who had been born a peasant, and, like Aurelian, in the territory of Sirmium. Ignorant of letters, careless of laws, the rusticity of his appearance and manners still betrayed in the most elevated fortune the meanness of his extraction. War was the only art which he professed. In a long course of service he had distinguished himself on every frontier of the empire; and though his military talents were formed to obey rather than to command, he was capable, by his valour, constancy, and experience, of executing the most arduous undertakings. Nor were the vices of Maximian less useful to his benefactor. Insensible to pity, and fearless of consequences, he was the ready instrument of every act of cruelty which the policy of that artful prince might at once suggest and disclaim. As soon as a bloody sacrifice had been offered to prudence or to revenge, Diocletian, by his seasonable intercession, saved the remaining

Diocletian confers the title of Augustus upon MAXIMIAN: his character: Diocletian confers the title of Cæsar upon GALERIUS and CONSTANTIUS: their character.

* The town was properly called Doclea. E. W. Brooks, in the *English Historical Review* (July, 1897), makes the following suggestion as to the origin of Diocletian's name:—"Is it not possible that his mother was a native of Doclea, hence known as Docleatis, and that her son, by a common principle of nomenclature, was called Doeletianus, which was afterwards Græcised into Diocletianus?" Diocletian also assumed the patrician name of Valerius, his full designation being, "C. Aurelius Valerius Diocletianus."

few whom he had never designed to punish, gently censured the severity of his stern colleague, and enjoyed the comparison of a golden and an iron age, which was universally applied to their opposite maxims of government. Notwithstanding the difference of their characters, the two emperors maintained, on the throne, that friendship which they had contracted in a private station. The haughty turbulent spirit of Maximian was accustomed to respect the genius of Diocletian, and confessed the ascendant of reason over brutal violence. From a motive either of pride or superstition the two emperors assumed the titles, the one of Jovius, the other of Herculius. Whilst the motion of the world (such was the language of their venal orators) was maintained by the all-seeing wisdom of Jupiter, the invincible arm of Hercules purged the earth from monsters and tyrants.

But even the omnipotence of Jovius and Herculius was insufficient to sustain the weight of the public administration. The prudence of Diocletian discovered that the empire, assailed on every side by the barbarians, required on every side the presence of a great army and of an emperor. With this view he resolved once more to divide his unwieldy power, and, with the inferior title of *Cæsars*, to confer on two generals of approved merit an equal share of the sovereign authority. Galerius, surnamed Armentarius, from his original profession of a herdsman, and Constantius, who, from his pale complexion, had acquired the denomination of Chlorus, were the two persons invested with the second honours of the Imperial purple (A.D. 293). In describing the country, extraction, and manners of Herculius, we have already delineated those of Galerius, who was often, and not improperly, styled the younger Maximian, though, in many instances both of virtue and ability, he appears to have possessed a manifest superiority over the elder. The birth of Constantius was less obscure than that of his colleagues. Eutropius, his father, was one of the most considerable nobles of Dardania, and his mother was the niece of the emperor Claudius. Although the youth of Constantius had been spent in arms, he was endowed with a mild and amiable disposition, and the popular voice had long since acknowledged him worthy of the rank which he at last attained. To strengthen the bonds of political by those of domestic union, each of the emperors assumed the character of a father to one of the Cæsars, Diocletian to Galerius, and Maximian to Constantius; and each, obliging them to repudiate their former wives, bestowed his daughter in marriage on his adopted son. These four princes distributed among themselves the wide extent of the Roman empire. The defence of Gaul and Britain was intrusted to Constantius: Galerius was stationed on the banks of the Danube, as the safeguard of the Illyrian provinces.*

* To the Danubian provinces and Illyria were added Macedonia, Greece, and Crete.

Italy, Spain, and Africa were considered as the department of Maximian; and for his peculiar portion Diocletian reserved Thrace, Egypt, and the rich countries of Asia.* Every one was sovereign within his own jurisdiction; but their united authority extended over the whole monarchy, and each of them was prepared to assist his colleagues with his counsels or presence. The Cæsars, in their exalted rank, revered the majesty of the emperors, and the three younger princes invariably acknowledged, by their gratitude and obedience, the common parent of their fortunes. This important measure was not carried into execution till about six years after the association of Maximian, and that interval of time had not been destitute of memorable incidents.

Suppression of the rebellion of the Bagaudæ in Gaul: revolt of Carausius in Britain: his death: recovery of Britain by Constantius.

§ 3. The first exploit of Maximian was the suppression of the rebellion of the peasants of Gaul, who, under the appellation of Bagaudæ, had ravaged Gaul with the most savage cruelty.† But Maximian had no sooner recovered Gaul from the hands of the peasants, than he lost Britain by the usurpation of Carausius (A.D. 286). To repel the incursions of the German pirates, it was found necessary to create a naval power. Gessoriacum, or Boulogne, in the Straits of the British Channel, was chosen for the station of the Roman fleet; and the command of it was intrusted to Carausius, a Menapian of the meanest origin, but who had long signalised his skill as a pilot, and his valour as a soldier. The integrity of the new admiral corresponded not with his abilities. When the German pirates sailed from their own harbours, he connived at their passage, but he diligently intercepted their return, and appropriated to his own use an ample share of the spoil which they had acquired. Maximian had already given orders for his death; but the crafty Menapian had attached to his fortunes the fleet which he commanded; and sailing over to Britain, he persuaded the legion and the auxiliaries which guarded that island to embrace his party, and to confer the title of Augustus upon him (A.D. 286). Carausius held Britain for more than six years, and fortune continued propitious to a rebellion supported with courage and ability. He still preserved the possession of Boulogne and the adjacent country. His fleets rode triumphant in the channel, commanded the mouths of the Seine and of the Rhine, ravaged the coasts of the ocean, and diffused beyond the Columns of Hercules the terror of his name. At the end of four years (A.D. 290) Diocletian and his colleague, who justly dreaded the

* The portions of territory possessed by the Cæsars cannot be regarded as fixed. They were subordinates of the Augusti, and their spheres of administration might be changed by their superiors.

† The Bagaudæ for a time formed a kind of kingdom of their own between the Seine and the Marne. Maximian in his suppression of the revolt punished only the leaders and pardoned the masses. See Schiller, *Geschichte*, ii. p. 125; Preuss, *Kaiser Diocletian und seine Zeit*, p. 30.

enterprising spirit of Carausius, resigned to him the sovereignty of Britain, and reluctantly admitted their perfidious servant to a participation of the Imperial honours. But the adoption of the two Cæsars restored new vigour to the Roman arms; and while the Rhine was guarded by the presence of Maximian, his brave associate Constantius assumed the conduct of the British war. His first enterprise was against the important place of Boulogne. A stupendous mole, raised across the entrance to the harbour, intercepted all hopes of relief. The town surrendered after an obstinate defence; and a considerable part of the naval strength of Carausius fell into the hands of the besiegers. While Constantius was employed in preparing a fleet adequate to the conquest of Britain, he received the intelligence of the tyrant's death. The servants of Carausius imitated the example of treason which he had given. He was murdered by his first minister Allectus, and the assassin succeeded to his power and to his danger (A.D. 293). But he possessed not equal abilities either to exercise the one, or to repel the other. After holding the supreme power three years, Asclepiodotus, a distinguished officer* of Constantius, succeeded in landing in Britain, and defeated and slew Allectus. A single battle, as it has often happened, decided the fate of this great island; and when Constantius landed on the shores of Kent, he found them covered with obedient subjects (A.D. 296).

Defence of the frontiers of the empire; wars in Africa and Egypt.

§ 4. For the purpose of defending the Roman territory against the invasions of the barbarians, Diocletian fixed in the East a line of camps from Egypt to the Persian dominions; while Maximian in the West diligently repaired, from the mouth of the Rhine to that of the Danube, the ancient camps, towns, and citadels, and skilfully constructed new ones in the most exposed places. The defence of the Danube and of the Rhine was intrusted to the Cæsars; and the Germans seldom ventured to break through the chain of fortifications.

While the Cæsars exercised their valour on the banks of the Rhine and Danube, the presence of the emperors was required on the southern confines of the Roman world. From the Nile to Mount Atlas, Africa was in arms. A confederacy of five Moorish nations † issued from their deserts to invade the peaceful provinces. Julian had assumed the purple at Carthage, and Achilleus at Alexandria; and even the Blemmyes renewed, or rather continued, their incursions into the Upper Egypt. The progress of the arms of Maximian was rapid and decisive. He vanquished the fiercest barbarians of Mauretania, and he removed them from the mountains, whose inaccessible strength had inspired their inhabitants with a lawless confidence, and habituated them to a life of rapine and violence. Diocletian, on

* He was prætorian prefect.

† They are called *Quinquegentanei* (Corpus Inscriptionum Latinarum, viii. part 2, n. 8924; Cagnat, *L'armée Romaine d'Afrique*, p. 60).

his side, took Alexandria, after a siege of eight months (A.D. 296), and treated the city with the utmost severity. Many thousands of the citizens perished in a promiscuous slaughter, and there were few obnoxious persons in Egypt who escaped a sentence either of death or at least of exile. The character of the Egyptian nation, insensible to kindness, but extremely susceptible of fear, could alone justify this excessive rigour. The seditions of Alexandria had often affected the tranquillity and subsistence of Rome itself. Since the usurpation of Firmus,* the province of Upper Egypt, incessantly relapsing into rebellion, had embraced the alliance of the savages of Æthiopia. The number of the Blemmyes, scattered between Meroe and the Red Sea, was very inconsiderable, their disposition was unwarlike, their weapons rude and inoffensive. Yet in the public disorders these barbarians presumed to rank themselves among the enemies of Rome. With a view of opposing to the Blemmyes a suitable adversary, Diocletian persuaded the Nobatæ, or people of Nubia, to remove from their ancient habitations in the deserts of Libya, and resigned to them an extensive but unprofitable territory above Syene and the cataracts of the Nile, with the stipulation that they should ever respect and guard the frontier of the empire.†

§ 5. The reduction of Egypt was immediately followed by the Persian war. It was reserved for the reign of Diocletian to vanquish that powerful nation, and to extort a confession from the successors of Artaxerxes of the superior majesty of the Roman empire.

The Persian War: restoration of Tiridates to Armenia: his expulsion by the Persians.

We have observed, under the reign of Valerian, that Armenia was subdued by the perfidy and the arms of the Persians, and that, after the assassination of Chosroes, his son Tiridates, the infant heir of the monarchy, was saved by the fidelity of his friends, and educated under the protection of the emperors.‡ In the third year of Diocletian's reign Tiridates was invested with the kingdom of Armenia (A.D. 286). The justice of the measure was not less evident than its expediency. It was time to rescue from the usurpation of the Persian monarch an important territory, which, since the reign of Nero, had been always granted under the protection of the empire to a younger branch of the house of Arsaces. Tiridates was received in Armenia with an unfeigned transport of joy and loyalty. During twenty-six years the country had experienced the real and imaginary hardships of a foreign yoke. The people flew to arms, and the Persian

* Ch. vi. § 8.

† At the same time a compromise was arrived at with the Blemmyes and an annual subvention paid them to secure their allegiance and protection. Two lines of defence were thus established. The Nobatæ guarded the frontier near Syene, the Blemmyes the caravan-routes between the Red Sea and the Nile (Schiller, *Geschichte*, III. ii. § 11). Mommsen remarks, with reference to the subvention paid to the latter people, "It was a retrograde step—the first since Egypt became Roman" (*Provinces*, ii. p. 278).

‡ Ch. v. § 9.

garrisons retreated before their fury. Tiridates not only expelled the enemies of his family and country from the whole extent of Armenia, but in the prosecution of his revenge he carried his arms, or at least his incursions, into the heart of Assyria. His success was favoured by the distracted state of the Persian monarchy. The throne was disputed by the ambition of contending brothers; but when the civil war was terminated, and Narses (Nersi) was universally acknowledged as king of Persia, he directed his whole force against the foreign enemy. The contest then became too unequal; and Tiridates, a second time expelled from the throne of Armenia, once more took refuge in the court of the emperors. Narses soon re-established his authority over the revolted province; and, loudly complaining of the protection afforded by the Romans to rebels and fugitives, aspired to the conquest of the East.

The two campaigns of Galerius against the Persians: treaty of peace between the Persians and Romans.

§ 6. Neither prudence nor honour could permit the emperors to forsake the cause of the Armenian king, and it was resolved to exert the force of the empire in the Persian war. Diocletian, with the calm dignity which he constantly assumed, fixed his own station in the city of Antioch, from whence he prepared and directed the military operations. The conduct of the legions was intrusted to the intrepid valour of Galerius, who, for that important purpose, was removed from the banks of the Danube to those of the Euphrates (A.D. 297).

The armies soon encountered each other in the plains of Mesopotamia, and two battles were fought with various and doubtful success: but the third engagement was of a more decisive nature; and the Roman army received a total overthrow on the same ground which had been rendered memorable by the death of Crassus and the slaughter of ten legions.* When Galerius returned to Antioch, Diocletian received him, not with the tenderness of a friend and colleague, but with the indignation of an offended sovereign. The haughtiest of men, clothed in his purple, but humbled by the sense of his fault and misfortune, was obliged to follow the emperor's chariot above a mile on foot, and to exhibit, before the whole court, the spectacle of his disgrace.

The result of the second campaign was very different (A.D. 298). Galerius, instead of exposing his legions in the open plains of Mesopotamia, advanced through the mountains of Armenia, where he found the inhabitants devoted to his cause, and the country as favourable to the operations of infantry as it was inconvenient for the motions of cavalry. He surprised the camp of the enemy in the night, and put them to the rout with dreadful carnage. Narses himself was wounded and escaped with difficulty; but several of his wives, his sisters, and children, who had attended the army, were taken prisoners.

The power, or at least the spirit, of Narses had been broken by his last defeat; and he considered an immediate peace as

* The battle was fought between Callinicum and Carrhæ.

the only means that could stop the progress of the Roman arms. He despatched an ambassador to Diocletian with a commission to negotiate a treaty, or rather to receive whatever conditions the conqueror should impose. A treaty was at length concluded between the two nations on the following conditions:—I. The Aborrhas, more usually called Chaboras, was fixed as the boundary between the two monarchies. That river fell into the Euphrates at Circesium, a frontier town, which, by the care of Diocletian, was very strongly fortified. Mesopotamia, the object of so many wars, was ceded to the empire; and the Persians, by this treaty, renounced all pretensions to that great province. II. They relinquished to the Romans five provinces beyond the Tigris. Their situation formed a very useful barrier, and their natural strength was soon improved by art and military skill. Four of these, to the north of the river, were districts of obscure fame and inconsiderable extent—Rehimene, Zabdicene, Arzanene, and Moxoene; but on the east of the Tigris the empire acquired the large and mountainous territory of Corduene, the ancient seat of the Carduchians or Kurds, who preserved for many ages their manly freedom in the heart of the despotic monarchies of Asia. III. Tiridates, the faithful ally of Rome, was restored to the throne of his fathers, and the rights of the Imperial supremacy were fully asserted and secured. IV. The inhabitants of Iberia had in their hands the narrow defiles of Mount Caucasus; and it was in their choice either to admit or to exclude the wandering tribes of Sarmatia, whenever a rapacious spirit urged them to penetrate into the richer climates of the South. The nomination of the kings of Iberia, which was resigned by the Persian monarch to the emperors, contributed to the strength and security of the Roman power in Asia. The East enjoyed a profound tranquillity during forty years (A.D. 297–337); and the treaty between the rival monarchies was strictly observed till the death of Tiridates; when a new generation, animated with different views and different passions, succeeded to the government of the world; and the grandson of Narses undertook a long and memorable war against the princes of the house of Constantine.

Triumph of Diocletian and Maximian.

§ 7. The arduous work of rescuing the distressed empire from tyrants and barbarians had now been completely achieved by a succession of Illyrian peasants. As soon as Diocletian entered into the twentieth year of his reign, he celebrated that memorable æra, as well as the success of his arms, by the pomp of a Roman triumph (A.D. 303). Maximian, the equal partner of his power, was his only companion in the glory of that day. The two Cæsars had fought and conquered, but the merit of their exploits was ascribed, according to the rigour of ancient maxims, to the auspicious influence of their fathers and emperors.* The triumph of Diocletian and Maximian was less

* See Appendix, note 1, on "The right of triumphing during the Empire."

magnificent, perhaps, than those of Aurelian and Probus, but it was dignified by several circumstances of superior fame and good fortune. Africa and Britain, the Rhine, the Danube, and the Nile, furnished their respective trophies; but the most distinguished ornament was of a more singular nature, a Persian victory followed by an important conquest. In the eyes of posterity this triumph is remarkable by a distinction of a less honourable kind. It was the last that Rome ever beheld.* Soon after this period the emperors ceased to vanquish, and Rome ceased to be the capital of the empire.

Residence of the emperors at Milan and Nicomedia: debasement of Rome and the Senate.

§ 8. The previous emperors, though perhaps of African or Illyrian extraction, had respected Rome, as the seat of their power and the centre of their extensive dominions. The emergencies of war very frequently required their presence on the frontiers; but Diocletian and Maximian were the first Roman princes who fixed, in time of peace, their ordinary residence in the provinces; and their conduct, however it might be suggested by private motives, was justified by very specious considerations of policy. The court of the emperor of the West was, for the most part, established at Milan, whose situation, at the foot of the Alps, appeared far more convenient than that of Rome, for the important purpose of watching the motions of the barbarians of Germany. Milan soon assumed the splendour of an Imperial city. A circus, a theatre, a mint, a palace, baths, which bore the name of their founder Maximian; porticoes adorned with statues, and a double circumference of walls, contributed to the beauty of the new capital; nor did it seem oppressed even by the proximity of Rome. To rival the majesty of Rome was the ambition likewise of Diocletian, who employed his leisure, and the wealth of the East, in the embellishment of Nicomedia, a city placed on the verge of Europe and Asia, almost at an equal distance between the Danube and the Euphrates. By the taste of the monarch, and at the expense of the people, Nicomedia acquired, in the space of a few years, a degree of magnificence which might appear to have required the labour of ages, and became inferior only to Rome, Alexandria, and Antioch, in extent or populousness. The life of Diocletian and Maximian was a life of action, and a considerable portion of it was spent in camps, or in their long and frequent marches; but whenever the public business allowed them any relaxation, they seem to have retired with pleasure to their favourite residences of Nicomedia and Milan. Till Diocletian, in the twentieth year of his reign, celebrated his Roman Triumph, it is extremely doubtful whether he ever visited the ancient capital of the empire. Even on that memorable occasion his stay did not exceed one month (Nov. 20th–Dec. 18th.).

The dislike expressed by Diocletian towards Rome and Roman

* *I.e.* the last that Rome beheld as long as she was the sole capital and before the division of the empire. For the triumph of Theodosius I. see chapter xiv. § 16.

freedom was not the effect of momentary caprice, but the result of the most artful policy. That crafty prince had framed a new system of Imperial government, which was afterwards completed by the family of Constantine; and as the image of the old constitution was religiously preserved in the senate, he resolved to deprive that order of its small remains of power and consideration. The camp of the Prætorians, which had so long oppressed, began to protect, the Majesty of Rome; and as those haughty troops were conscious of the decline of their power, they were naturally disposed to unite their strength with the authority of the senate. By the prudent measures of Diocletian, the numbers of the Prætorians were insensibly reduced, their privileges abolished, and their place supplied by two faithful legions of Illyricum, who, under the new titles of Jovians and Herculians, were appointed to perform the service of the Imperial guards. The most fatal though secret wound which the senate received from the hands of Diocletian and Maximian was inflicted by the inevitable operation of their absence. As long as the emperors resided at Rome, that assembly might be oppressed, but it could scarcely be neglected. The successors of Augustus exercised the power of dictating whatever laws their wisdom or caprice might suggest; but those laws were ratified by the sanction of the senate. The model of ancient freedom was preserved in its deliberations and decrees; and wise princes, who respected the prejudices of the Roman people, were in some measure obliged to assume the language and behaviour suitable to the general and first magistrate of the republic. In the armies and in the provinces they displayed the dignity of monarchs; and when they fixed their residence at a distance from the capital, they for ever laid aside the dissimulation which Augustus had recommended to his successors. In the exercise of the legislative as well as the executive power, the sovereign advised with his ministers, instead of consulting the great council of the nation.* The name of the senate was mentioned with honour till the last period of the empire; the vanity of its members was still flattered with honorary distinctions; but the assembly which had so long been the source, and so long the instrument of power, was respectfully suffered to sink into oblivion. The senate of Rome, losing all connection with the Imperial court and the actual constitution, was left a venerable but useless monument of antiquity on the Capitoline hill.

Diocletian assumes new Imperial titles, and introduces the Persian ceremonial.

§ 9. When the Roman princes had lost sight of the senate and of their ancient capital, they easily forgot the origin and nature of their legal power. The civil offices of consul, of pro-consul, of censor, and of tribune, by the union of which it had been formed, betrayed to the people its republican extraction. Those modest titles were laid aside; and if they still distinguished their high station by the appellation of Emperor, or IMPERATOR,

* See Appendix, note 2, on "The Consistory."

that word was understood in a new and more dignified sense, and no longer denoted the general of the Roman armies, but the sovereign of the Roman world. The name of Emperor, which was at first of a military nature, was associated with another of a more servile kind. The epithet of DOMINUS, or Lord, in its primitive signification, was expressive not of the authority of a prince over his subjects, or of a commander over his soldiers, but of the despotic power of a master over his domestic slaves. Viewing it in that odious light, it had been rejected with abhorrence by the first Cæsars.* Their resistance insensibly became more feeble, and the name less odious; till at length the style of *our Lord and Emperor* was not only bestowed by flattery, but was regularly admitted into the laws and public monuments. From the time of Augustus to that of Diocletian, the Roman princes, conversing in a familiar manner among their fellow-citizens, were saluted only with the same respect that was usually paid to senators and magistrates. Their principal distinction was the Imperial or military robe of purple;† whilst the senatorial garment was marked by a broad, and the equestrian by a narrow, band or stripe of the same honourable colour. The policy of Diocletian engaged that artful prince to introduce the stately magnificence of the court of Persia. He ventured to assume the diadem, an ornament detested by the Romans as the odious ensign of royalty, and the use of which had been considered as the most desperate act of the madness of Caligula. It was no more than a broad white fillet set with pearls, which encircled the emperor's head. The sumptuous robes of Diocletian and his successors were of silk and gold; and it is remarked with indignation that even their shoes were studded with the most precious gems. The access to their sacred person was every day rendered more difficult by the institution of new forms and ceremonies. When a subject was admitted to the Imperial presence, he was obliged, whatever might be his rank, to fall prostrate on the ground, and to adore, according to the eastern fashion, the divinity of his lord and master. Diocletian was a man of sense, who, in the course of private as well as public life, had formed a just estimate both of himself and of mankind; nor is it easy to conceive that in substituting the manners of Persia for those of Rome he was

* Augustus would not allow the term *dominus* (a familiar mode of address from the members of the family to its head) to be employed even by his sons and grandsons (Suetonius, *Augustus*, 53), and Tiberius asserted that he was *dominus* only to his slaves (Dio Cassius, lvii. 8); but Pliny the younger employs this mode of address constantly in his correspondence with Trajan. It is not until the time of Severus that it appears on the public addresses of corporations, and Aurelian is the first emperor who is *dominus* on his coins. See Mommsen, *Staatsrecht*, ii. p. 760.

† The ordinary garb of the emperor in Rome was the purple-striped robe (*toga prætexta*) of the civil magistrate. The emperors down to Diocletian as a rule avoided wearing the military robe of purple within the walls. See Mommsen, *Staatsrecht*, i. p. 430.

seriously actuated by so mean a principle as that of vanity. He flattered himself that an ostentation of splendour and luxury would subdue the imagination of the multitude; that the monarch would be less exposed to the rude licence of the people and the soldiers, as his person was secluded from the public view; and that habits of submission would insensibly be productive of sentiments of veneration. Like the modesty affected by Augustus, the state maintained by Diocletian was a theatrical representation; but it must be confessed that, of the two comedies, the former was of a much more liberal and manly character than the latter. It was the aim of the one to disguise, and the object of the other to display, the unbounded power which the emperors possessed over the Roman world.

New form of administration, two Augusti and two Cæsars.

§ 10. Ostentation was the first principle of the new system instituted by Diocletian. The second was division. He divided the empire, the provinces, and every branch of the civil as well as military administration. He multiplied the wheels of the machine of government, and rendered its operations less rapid but more secure. He had associated three colleagues in the exercise of the supreme power; and as he was convinced that the abilities of a single man were inadequate to the public defence, he considered the joint administration of four princes not as a temporary expedient, but as a fundamental law of the constitution. It was his intention that the two elder princes should be distinguished by the use of the diadem, and the title of *Augusti;* that, as affection or esteem might direct their choice, they should regularly call to their assistance two subordinate colleagues; and that the *Cæsars*, rising in their turn to the first rank, should supply an uninterrupted succession of emperors. The empire was divided into four parts. The East and Italy were the most honourable, the Danube and the Rhine the most laborious stations. The former claimed the presence of the *Augusti*, the latter were intrusted to the administration of the *Cæsars*. The strength of the legions was in the hands of the four partners of sovereignty, and the despair of successively vanquishing four formidable rivals might intimidate the ambition of an aspiring general. In their civil government the emperors were supposed to exercise the undivided power of the monarch, and their edicts, inscribed with their joint names, were received in all the provinces, as promulgated by their mutual councils and authority.* Notwithstanding these precautions, the political union of the Roman world was gradually dissolved, and a principle of division was introduced, which, in the course of a few years, occasioned the perpetual separation of the eastern and western empires.

Increase of taxes.

§ 11. The system of Diocletian was accompanied with another very material disadvantage; a more expensive establishment,

* From the beginning of the year A.D. 293 the names of the Cæsars are added to those of the Augusti in the imperial constitutions (*Corpus Inscriptionum Latinarum*, iii. p. 905).

and consequently an increase of taxes, and the oppression of the people. Instead of a modest family of slaves and freedmen, such as had contented the simple greatness of Augustus and Trajan, three or four magnificent courts were established in the various parts of the empire, and as many Roman *kings* contended with each other and with the Persian monarch for the vain superiority of pomp and luxury. From this period to the extinction of the empire, it would be easy to deduce an uninterrupted series of clamours and complaints respecting the weight of the taxes. According to his religion and situation, each writer chooses either Diocletian, or Constantine, or Valens, or Theodosius, for the object of his invectives; but they unanimously agree in representing the burden of the public impositions, and particularly the land-tax, as the intolerable and increasing grievance of their own times.

Abdication of Diocletian and Maximian.

§ 12. It was in the twenty-first year of his reign that Diocletian executed his memorable resolution of abdicating the empire; an action more naturally to have been expected from the elder or the younger Antoninus than from a prince who had never practised the lessons of philosophy either in the attainment or in the use of supreme power. Diocletian acquired the glory of giving to the world the first example of a resignation which has not been very frequently imitated by succeeding monarchs. The parallel of Charles the Fifth, however, will naturally offer itself to our mind, from the very striking resemblance between the characters of the two emperors, whose political abilities were superior to their military genius, and whose specious virtues were much less the effect of nature than of art. Neither Charles nor Diocletian had arrived at a very advanced period of life, since the one was only fifty-five, and the other was no more than fifty-nine years of age; but the active life of those princes, their wars and journeys, the cares of royalty, and their application to business, had already impaired their constitution, and brought on the infirmities of a premature old age.

During a whole year Diocletian had suffered from a very severe illness; and he resolved to put an end to the painful struggle which he had so long sustained between the care of his health and that of his dignity. The former required indulgence and relaxation, the latter compelled him to direct, from the bed of sickness, the administration of a great empire. He resolved to pass the remainder of his days in honourable repose, to place his glory beyond the reach of fortune, and to relinquish the theatre of the world to his younger and more active associates. The ceremony of his abdication was performed in a spacious plain, about three miles from Nicomedia (A.D. 305). The emperor ascended a lofty throne, and, in a speech full of reason and dignity, declared his intention, both to the people and to the soldiers who were assembled on this extraordinary occasion. As soon as he had divested himself of the purple, he withdrew from the gazing multitude, and, traversing the city in a covered

chariot, proceeded without delay to the favourite retirement which he had chosen in his native country of Dalmatia. On the same day, which was the first of May, Maximian, as it had been previously concerted, made his resignation of the Imperial dignity at Milan. Even in the splendour of the Roman triumph, Diocletian had meditated his design of abdicating the government. As he wished to secure the obedience of Maximian, he exacted from him either a general assurance that he would submit his actions to the authority of his benefactor, or a particular promise that he would descend from the throne whenever he should receive the advice and the example. Maximian yielded reluctantly to the ascendant which his wiser colleague had acquired over him, and retired immediately after his abdication to a villa in Lucania, where it was almost impossible that such an impatient spirit could find any lasting tranquillity.

Retirement of Diocletian at Salona.

§ 13. Diocletian, who, from a servile origin, had raised himself to the throne, passed the nine last years of his life in a private condition. Reason had dictated, and content seems to have accompanied, his retreat, in which he enjoyed for a long time the respect of those princes to whom he had resigned the possession of the world. Diocletian had preserved, or at least he soon recovered, a taste for the most innocent as well as natural pleasures, and his leisure hours were sufficiently employed in building, planting, and gardening. His answer to Maximian is deservedly celebrated. He was solicited by that restless old man to reassume the reins of government and the Imperial purple. He rejected the temptation with a smile of pity, calmly observing that, if he could show Maximian the cabbages which he had planted with his own hands at Salona, he should no longer be urged to relinquish the enjoyment of happiness for the pursuit of power. Diocletian resided in a magnificent palace, which he had erected about six or seven miles from Salona, and we may infer, from the greatness of the work, how long he had meditated his design of abdicating the empire. It covered an extent of ground consisting of between nine and ten English acres. The form was quadrangular, flanked with sixteen towers. Two of the sides were near 600, and the other two near 700 feet in length. The whole was constructed of a beautiful free-stone, extracted from the neighbouring quarries of Trau or Tragutium, and very little inferior to marble itself. Four streets, intersecting each other at right angles, divided the several parts of this great edifice, and the approach to the principal apartment was from a very stately entrance, which is still denominated the Golden Gate. The approach was terminated by a *peristylium* of granite columns, on one side of which we discover the square temple of Æsculapius, on the other the octagon temple of Jupiter. Had this magnificent edifice remained in a solitary country, it would have been exposed to the ravages of time; but it might, perhaps, have escaped the rapacious industry of man. The village of

Aspalathus, and, long afterwards, the provincial town of Spalatro, have grown out of its ruins. The Golden Gate now opens into the Market-place. St. John the Baptist has usurped the honours of Æsculapius; and the temple of Jupiter, under the protection of the Virgin, is converted into the cathedral church.

[Schiller, *Geschichte der Römischen Kaiserzeit*, III. ii. §§ 10–13; Preuss, *Kaiser Diocletian und seine Zeit*; Ranke, *Weltgeschichte*, III. i. c. 14.]

Bronze medallion representing Jovius Diocletianus and Herculius Maximianus.

## APPENDIX.

NOTE 1 (§ 7).—"THE RIGHT OF TRIUMPHING DURING THE EMPIRE."

Throughout the whole of Roman history a triumph was not always enjoyed by the general who had earned it by his victory. The salutation of the conqueror by the victorious army which acclaimed him *Imperator* was the usual preliminary to the triumph—the solemn procession of the general at the head of his forces through the streets of the city to the Capitol; but, as the title *imperator* could be borne only by a commander-in-chief, and was inconsistent with delegated authority, the triumph could be enjoyed only by a magistrate with the capacity for supreme command. In the early Republic it was confined to the Dictator, Consul, Prætor, and, in accordance with their graduated rank, to the one of these who at the moment of victory was in highest authority in the field. Thus the Dictator excluded the Consul, the Consul the Prætor, and, when two Consuls were in joint authority, the triumph was the due of the one who, in accordance with the principle of alternating command, had on that particular day the chief military power and the right of taking the auspices (*imperium et auspicia*). When, at a later period, Proconsuls and Proprætors held command abroad, the same principle continued to be observed. Independent command was the necessary preliminary of a triumph; no general fighting under the authority of another could enjoy this honour.

The application of this principle to the Principate had the effect of legally confining triumphs to the Princeps alone. The governors of his own

provinces were mere delegates; those of senatorial provinces, though in nominally independent authority, had no armies at their command. It is true that the Principate, even before the epoch of the dual sovereignty of the Antonine period, occasionally afforded the spectacle of an extraordinary and legally independent military authority existing by the side of that of the Princeps. The necessities of imperial defence sometimes led to the *proconsulare imperium* being conferred on an individual—generally some member of the imperial house—who exercised a sphere of influence which subordinated the ordinary governors to his control. But even this position did not guarantee a triumph to its possessor. It was barred by the further technical difficulty that the troops with which the victory was won had taken the military oath (*sacramentum*) to the emperor alone, and that consequently they were still assumed to be fighting under his *auspicia*. It was this feeling which led the senate to confer the title of *Imperator* only on the proposal of the Princeps (Tacitus, *Annals*, i. 58), and made Agrippa twice decline a triumph offered him by Augustus (Dio Cassius, liv. 11 and 24).

This theory of the triumph continues unaltered in the system of fourfold rule established by Diocletian. The position of the Cæsars, although more permanent, is not essentially different from that of the commanders to whom in the early Principate grants of the *proconsulare imperium* had occasionally been made. This technical limitation of their authority, involving a practical denial of their command-in-chief of any part of the army, shows how little the system of government inaugurated by Diocletian was a true tetrarchy, as it has sometimes been called. The Cæsars had, in strict law, neither permanent departments nor independent authority. The former could at any moment be changed by the will of their superiors, and the latter was always borrowed.

[Mommsen, *Staatsrecht*, i. pp. 123–136; Schiller, *Geschichte*, III. i. 3.]

## NOTE 2 (§ 8).—"THE CONSISTORY."

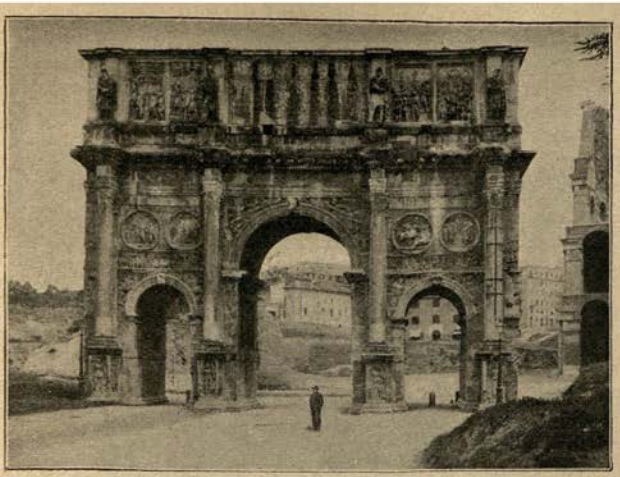
The *consistorium* was the final form attained by the imperial *consilium*—the wholly informal body of advisers whom the Princeps consulted in the exercise of his jurisdiction and of his administrative activity. The existence of such a body was not a constitutional necessity of the early empire, but merely an outcome of the principle, recognised at every period of Roman history, that no magistrate should act in any important matter without taking counsel of skilled advisers. It is not, therefore, a matter for surprise that in the early empire there should have been no definite qualification required for the office and no permanent character attaching to it. Tiberius' judgments were elaborated in the society of a few friends (*pauci familiares*, Tacitus, *Annals*, iii. 10), and the board did not acquire a definite organisation before the time of Hadrian. That emperor, we are told, summoned jurisconsults approved by the Senate to advise him in the exercise of his *jurisdiction* (*Vita Hadriani*, 18, "cum judicaret, in consilio habuit non amicos suos aut comites solum, sed juris consultos—quos tamen senatus omnes probasset"). We are not told that this board gave advice on administrative acts, and perhaps this purely judicial body was not identical with the general council of state. Amongst the *consiliarii Augusti* who become a definite and salaried class during this period are found some with the title *jurisperiti*, but others to whom there seems no reason to attribute special knowledge of the law (see the inscriptions in Hirschfeld, *Untersuchungen*, i. p. 215). They included representatives both of the senatorial and of the equestrian order. There was, however, one class of administrative acts, in the framing of which the professional lawyer could be as little dispensed with as in the exercise of jurisdiction. These were the imperial *constitutiones*, dealing with legal points whether of a general or special character. In the redaction of such documents we are told that the

emperor Severus Alexander was always assisted by twenty *jurisperiti* out of a *consilium* numbering seventy in all (*Vita Alexandri*, 16, "neque ullam constitutionem sacravit sine viginti jurisperitis et doctissimis ac sapientibus viris isdemque disertissimis non minus quinquaginta"). In matters of jurisdiction—perhaps in other matters as well—the presidency of this council was, between the reigns of Hadrian and of Marcus Aurelius, entrusted to the prefects of the prætorian guard (see ch. ii., Appendix, note 2).

The reorganisation of the empire by Diocletian gradually led to a change both in the name and in the organisation of this body. The name *consistorium*, designating the meeting-place of the council and thence the council itself, is not found in inscriptions before the year 353 (*Corpus Inscriptionum Latinarum*, vi. 1739, 1740). [The application of the word to the times of Diocletian and Maximian by the code of Justinian (9, 47, 12) is possibly an anachronism.] It replaces the word *auditorium*, which had been applied to denote the hall of assemblage. The *sacrum consistorium* is now the great Council of State. It was composed of two classes: (1) the *comites inlustres*—the four great civil functionaries known as *quæstor sacri palatii magister officiorum, comes sacrarum largitionum, comes rerum privatarum;* and (2) of a lower class of *comites spectabiles* or *comites consistoriani*. It was in this great council that the general laws were promulgated, that the emperor gave his solemn audiences, and exercised his personal, and usually appellant, jurisdiction; and here too all important measures of general administration were discussed.

It is a doubtful point how far the judicial and administrative elements in this council were kept apart. Haubold (*de consistorio*, p. 230) attempted to establish a distinction in nomenclature, and to show that while the *auditorium* was the emperor's council in judicial matters, a portion of this body—the *consistorium* proper—was the council of state. Bethmann-Hollweg (*Römische Civilprozess*, iii. p. 97) has given good reasons for showing that this distinction is untenable; but, as some of the sittings of the consistory were devoted to judicial, others to administrative business, a difference of *personnel* in the two cases, such as exists in the English Privy Council, is not improbable.

[Haubold, *de consistorio;* Hirschfeld, *Römische Verwaltungsgesch.*, pp. 201–218; Mommsen, *Staatsr.* II. ii. pp. 988–992; Bethmann-Hollweg, *Romische Civilprozess*, iii. § 137; Cuq, *Le conseil des empereurs*; Willems, *Le droit public Romain*, pp. 458 and 554.]



The Arch of Constantine (see § 9).

## CHAPTER VIII.

### FROM THE ABDICATION OF DIOCLETIAN TO THE REUNION OF THE EMPIRE UNDER CONSTANTINE.

§ 1. CONSTANTIUS and GALERIUS the two Augusti: appointment of SEVERUS and MAXIMIN as the two Cæsars. § 2. Death of Constantius and elevation of Constantine. § 3. MAXENTIUS declared emperor at Rome: MAXIMIAN reassumes the purple: defeat and death of Severus. § 4. Constantine marries Fausta, the daughter of Maximian. § 5. Unsuccessful invasion of Italy by Galerius: LICINIUS and MAXIMIN made Augusti: six emperors. § 6. Misfortunes and death of Maximian. § 7. Death of Galerius. § 8. Civil war between Constantine and Maxentius: defeat and death of Maxentius. § 9. Constantine's conduct at Rome: his triumphal arch: he suppresses the Prætorian guards. § 10. War between Maximin and Licinius: death of Maximin. § 11. War between Constantine and Licinius. § 12. Constantine defeats the Goths. § 13. Second war between Constantine and Licinius: death of Licinius: reunion of the empire.

CONSTANTIUS and GALERIUS the two Augusti: appointment of SEVERUS and MAXIMIN as the two Cæsars.

§ 1. THE balance of power established by Diocletian subsisted no longer than while it was sustained by the firm and dexterous hand of the founder. It required such a fortunate mixture of different tempers and abilities as could scarcely be found, or even expected, a second time; two emperors without jealousy, two Cæsars without ambition, and the same general interest invariably pursued by four independent princes. The abdication of Diocletian and Maximian was succeeded by eighteen

years of discord and confusion (A.D. 305–323). The empire was afflicted by five civil wars; and the remainder of the time was not so much a state of tranquillity as a suspension of arms between several hostile monarchs, who, viewing each other with an eye of fear and hatred, strove to increase their respective forces at the expense of their subjects.

As soon as Diocletian and Maximian had resigned the purple, their station, according to the rules of the new constitution, was filled by the two Cæsars, Constantius and Galerius, who immediately assumed the title of Augustus. The honours of seniority and precedence were allowed to the former of those princes, and he continued under a new appellation to administer his ancient department of Gaul and Britain.

Diocletian considered Galerius, who had married his daughter, as the firmest support of his family and of the empire; and he consented, without reluctance, that his successor should nominate the two new Cæsars. The nomination was fixed without consulting the interest or inclination of the princes of the West. Each of them had a son who was arrived at the age of manhood, and who might have been deemed the most natural candidates for the vacant honour. But the impotent resentment of Maximian was no longer to be dreaded; and the moderate Constantius, though he might despise the dangers, was humanely apprehensive of the calamities, of civil war. The two persons whom Galerius promoted to the rank of Cæsar were much better suited to serve the views of his ambition; and their principal recommendation seems to have consisted in the want of merit or personal consequence. The first of these was Daia, or, as he was afterwards called, Maximin, whose mother was the sister of Galerius. The inexperienced youth still betrayed by his manners and language his rustic education, when, to his own astonishment, as well as that of the world, he was invested by Diocletian with the purple, exalted to the dignity of Cæsar, and intrusted with the sovereign command of Egypt and Syria. At the same time Severus, a faithful servant, addicted to pleasure, but not incapable of business, was sent to Milan to receive from the reluctant hands of Maximian the Cæsarian ornaments and the possession of Italy and Africa. According to the forms of the constitution, Severus acknowledged the supremacy of the western emperor; but he was absolutely devoted to the commands of his benefactor Galerius, who, reserving to himself the intermediate countries from the confines of Italy to those of Syria, firmly established his power over three-fourths of the monarchy. The health of Constantius had been long declining, and Galerius looked forward with confidence to the time when the death of Constantius would leave him sole master of the Roman world.

Death of Constantius and elevation of Constantine.

§ 2. But, within less than eighteen months, two unexpected revolutions overturned the ambitious schemes of Galerius. The hopes of uniting the western provinces to his empire were

disappointed by the elevation of Constantine; whilst Italy and Africa were lost by the successful revolt of Maxentius.

Constantine, the son of Constantius and Helena, was most probably born at Naissus in Mœsia, A.D. 274. He was about eighteen years of age when his father was promoted to the rank of Cæsar; but that fortunate event was attended with his mother's divorce; and the splendour of an Imperial alliance reduced the son of Helena to a state of disgrace and humiliation. Instead of following Constantius in the West, he remained in the service of Diocletian, signalised his valour in the wars of Egypt and Persia, and gradually rose to the honourable station of a tribune of the first order. The figure of Constantine was tall and majestic; he was dexterous in all his exercises, intrepid in war, affable in peace; in his whole conduct the active spirit of youth was tempered by habitual prudence; and while his mind was engrossed by ambition, he appeared cold and insensible to the allurements of pleasure. The favour of the people and soldiers, who had named him as a worthy candidate for the rank of Cæsar, served only to exasperate the jealousy of Galerius; and though prudence might restrain him from exercising any open violence, an absolute monarch is seldom at loss how to execute a sure and secret revenge. Every hour increased the danger of Constantine, and the anxiety of his father, who, by repeated letters, expressed the warmest desire of embracing his son. For some time the policy of Galerius supplied him with delays and excuses, but it was impossible long to refuse so natural a request of his associate without maintaining his refusal by arms. The permission of the journey was reluctantly granted, and, whatever precautions the emperor might have taken to intercept a return, the consequences of which he with so much reason apprehended, they were effectually disappointed by the incredible diligence of Constantine. Leaving the palace of Nicomedia in the night, he travelled post through Bithynia, Thrace, Dacia, Pannonia, Italy, and Gaul; and, amidst the joyful acclamations of the people, reached the port of Boulogne in the very moment when his father was preparing to embark for Britain.

The British expedition, and an easy victory over the barbarians of Caledonia, were the last exploits of the reign of Constantius. He ended his life in the Imperial palace of York (July 25, A.D. 306), fifteen months after he had received the title of Augustus, and almost fourteen years and a half after he had been promoted to the rank of Cæsar. His death was immediately succeeded by the elevation of Constantine, who was saluted by the troops with the names of Augustus and Emperor. The throne was the object of his desires; and had he been less actuated by ambition, it was his only means of safety. He was well acquainted with the character and sentiments of Galerius, and sufficiently apprised that, if he wished to live, he must determine to reign. Galerius thought it more prudent to

dissemble his rage and disappointment. Without either condemning or ratifying the choice of the British army, Galerius accepted the son of his deceased colleague as the sovereign of the provinces beyond the Alps; but he gave him only the title of Cæsar, and the fourth rank among the Roman princes, whilst he conferred the vacant place of Augustus on his favourite Severus. The apparent harmony of the empire was still preserved, and Constantine, who already possessed the substance, expected, without impatience, an opportunity of obtaining the honours of supreme power.

MAXENTIUS declared emperor at Rome: MAXIMIAN reassumes the purple: defeat and death of Severus.

§ 3. Italy had now been subjected to the same system of taxation which prevailed in the provinces. This was a necessary consequence of the division of the empire. So long as Italy and all the provinces were under one and the same government, the provinces alone might bear the expenses without any particular hardship; but when Italy and Africa were formed into a separate division of the empire, it was impossible that the whole expenses of the government should be defrayed by Africa alone. The Roman people, however, unaccustomed to taxation, resented with indignation this invasion of their privileges. The long absence of the emperors had already filled Rome with discontent. The senate fanned the rising fury of the people; and the feeble remains of the Prætorian guards, who had reason to apprehend their own dissolution, embraced so honourable a pretence, and declared their readiness to draw their swords in the service of their oppressed country. It was the wish, and it soon became the hope, of every citizen that, after expelling from Italy their foreign tyrants, they should elect a prince who, by the place of his residence, and by his maxims of government, might once more deserve the title of Roman emperor. The name, as well as the situation of Maxentius, determined in his favour the popular enthusiasm.

Maxentius was the son of the emperor Maximian, and he had married the daughter of Galerius. His birth and alliance seemed to offer him the fairest promise of succeeding to the empire; but his vices and incapacity procured him the same exclusion from the dignity of Cæsar which Constantine had deserved by a dangerous superiority of merit. The policy of Galerius preferred such associates as would never disgrace the choice, nor dispute the commands, of their benefactor. An obscure stranger was therefore raised to the throne of Italy, and the son of the late emperor of the West was left to enjoy the luxury of a private fortune in a villa a few miles distant from the capital. The gloomy passions of his soul, shame, vexation, and rage, were inflamed by envy on the news of Constantine's success; but the hopes of Maxentius revived with the public discontent and he was easily persuaded to unite his personal injury and pretensions with the cause of the Roman people. He was invested with the imperial ornaments, and was acknowledged, by the applauding senate and people, as the protector

of the Roman freedom and dignity. Maximian joyfully broke from the retirement where the authority of Diocletian had condemned him to pass a life of melancholy solitude, and at the request of his son and of the senate condescended to reassume the purple. His ancient dignity, his experience, and his fame in arms added strength as well as reputation to the party of Maxentius.

The emperor Severus immediately hastened to Rome, in the full confidence that, by his unexpected celerity, he should easily suppress the tumult of an unwarlike populace, commanded by a licentious youth. But he found on his arrival the gates of the city shut against him, the walls filled with men and arms, an experienced general at the head of the rebels, and his own troops without spirit or affection. The greater number of his soldiers deserted to the enemy; and the unfortunate Severus fled, with precipitation, to Ravenna. Here he might for some time have been safe; but Maximian, who conducted the siege in person, prevailed upon his fears not to expose himself to the discretion of an irritated conqueror, but to accept the faith of an honourable capitulation. He was at first received with humanity and treated with respect, but was shortly afterwards compelled to put an end to his own life (February, A.D. 307).

Constantine marries Fausta, the daughter of Maximian.

§ 4. Though the characters of Constantine and Maxentius had very little affinity with each other, their situation and interest were the same, and prudence seemed to require that they should unite their forces against the common enemy. Maximian passed the Alps, and, courting a personal interview with the sovereign of Gaul, carried with him his daughter Fausta as the pledge of the new alliance. The marriage was celebrated at Arles with every circumstance of magnificence; and the ancient colleague of Diocletian, who again asserted his claim to the Western empire, conferred on his son-in-law and ally the title of Augustus. By consenting to receive that honour from Maximian, Constantine seemed to embrace the cause of Rome and of the senate; but his professions were ambiguous, and his assistance slow and ineffectual. He considered with attention the approaching contest between the masters of Italy and the emperor of the East, and was prepared to consult his own safety or ambition in the event of the war.

Unsuccessful invasion of Italy by Galerius: LICINIUS and MAXIMIN made Augusti: six emperors.

§ 5. The importance of the occasion called for the presence and abilities of Galerius.* At the head of a powerful army collected from Illyricum and the East, he entered Italy, resolved

* The chronological sequence of these events is very obscure. It appears certain that Galerius' recognition of Constantine's title of Augustus was in 308, and, therefore, after his descent into Italy and the proclamation of Licinius as Augustus, both of which events took place in 307. (Clinton, *Fasti Romani*, i. pp. 352-354; Schiller, *Gesch.*, ii. p. 179.) Schiller shows that Constantine had probably assumed the title even before its recognition by Maximian. This recognition and the betrothal of Fausta were probably made at the *end* of 307, and so *after*, and not before, the descent of Galerius into Italy.

to revenge the death of Severus and to chastise the rebellious Romans. But the skill of Maximian had concerted a prudent system of defence. The invader found every place hostile, fortified, and inaccessible; and though he forced his way as far as Narni, within sixty miles of Rome, his dominion in Italy was confined to the narrow limits of his camp. He was at length obliged to retreat with disgrace, and to leave Maximian and Maxentius in the undisturbed possession of Italy.

Galerius, upon his return from Italy, raised his friend Licinius to the rank of Augustus in the place of Severus, and resigned to his immediate command the provinces of Illyricum (A.D. 307, Nov. 11). The news of his promotion was no sooner carried into the East, than Maximin, who governed, or rather oppressed, the countries of Egypt and Syria, disdained the inferior name of Cæsar, and, notwithstanding the prayers as well as arguments of Galerius, exacted, almost by violence, the equal title of Augustus. For the first time the Roman world was administered by six emperors (A.D. 308).* In the West, Constantine and Maxentius affected to reverence their father Maximian. In the East, Licinius and Maximin honoured with more real consideration their benefactor Galerius. The opposition of interest, and the memory of a recent war, divided the empire into two great hostile powers; but their mutual fears produced an apparent tranquillity, and even a feigned reconciliation, till the death of the elder princes, of Maximian, and more particularly of Galerius, gave a new direction to the views and passions of their surviving associates.

Misfortunes and death of Maximian.

§ 6. It was impossible that minds like those of Maximian and his son could long possess in harmony an undivided power. Maxentius considered himself as the legal sovereign of Italy, elected by the Roman senate and people; nor would he endure the control of his father, who arrogantly declared that by *his* name and abilities the rash youth had been established on the throne. The cause was solemnly pleaded before the Prætorian guards; and those troops, who dreaded the severity of the old emperor, espoused the party of Maxentius. The life and freedom of Maximian were, however, respected, and he retired from Italy into Illyricum (A.D. 308). But Galerius, who was well acquainted with his character, soon obliged him to leave his dominions, and the last refuge of the disappointed Maximian was the court of his son-in-law Constantine. He was received with respect by that artful prince. But while Constantine was engaged upon the Rhine in repelling an incursion of the Franks, Maximian seized the vacant throne. The rapid return of Constantine defeated all the hopes of Maximian, who fled for refuge to Marseilles. The inhabitants of this city surrendered him to Constantine, who compelled the old man to put an end to his life (A.D. 310, February). He deserved his fate; but we should find more reason to applaud the humanity of Constantine, if

* Cf. ch. xv. § 17.

he had spared the benefactor of his father, and the father of his wife.

Death of Galerius.

§ 7. Galerius survived his retreat from Italy about four years. His death was occasioned by a very painful and lingering disorder (A.D. 311). His body, swelled by an intemperate course of life to an unwieldy corpulence, was covered with ulcers, and devoured by swarms of those insects which have given their name to a most loathsome disease,* which the Christians, whom he had cruelly persecuted, regarded as the visible effect of divine justice. His dominions were shared between Maximin and Licinius. The provinces of Asia fell to the share of Maximin, and those of Europe augmented the portion of Licinius. The deaths of Maximian and of Galerius reduced the number of emperors to four. The sense of their true interest soon connected Licinius and Constantine; a secret alliance was concluded between Maximin and Maxentius, and their unhappy subjects expected with terror the bloody consequences of their inevitable dissensions, which were no longer restrained by the fear or the respect which they had entertained for Galerius.

Civil war between Constantine and Maxentius: defeat and death of Maxentius.

§ 8. While Constantine governed Gaul with justice, and repulsed with vigour the inroads of the Franks and Alemanni, Italy and Africa groaned under the dominion of Maxentius, a tyrant as contemptible as he was odious. His incapacity, profligacy, and cruelty knew no bounds. Maxentius had imbibed the same implacable aversion to the senate which had characterised most of the former tyrants of Rome; nor was it possible for his ungrateful temper to forgive the generous fidelity which had raised him to the throne. The lives of the senators were exposed to his jealous suspicions, the dishonour of their wives and daughters gratified his sensual passions. He filled Rome and Italy with armed troops, connived at their tumults, and suffered them with impunity to plunder, and even to massacre, the defenceless people. Rome, which had so long regretted the absence, lamented, during the six years of his reign (A.D. 306–312), the presence of her sovereign.

Maxentius, who pretended to resent the death of his father Maximian, ordered all the statues that had been erected in Italy and Africa to the honour of Constantine to be thrown down with ignominy, and prepared a considerable force to invade the Gallic provinces on the side of Rhætia. Constantine at first endeavoured to avoid a war, of the difficulty and importance of which he was well aware; but when he saw that Maxentius openly avowed his pretensions to the whole monarchy of the West, he resolved to anticipate the enemy and to carry the war into the heart of Italy. At the head of about 40,000 soldiers he crossed the Cottian Alps (Mont-Genèvre), defeated the army of

* The accounts given by the ecclesiastical writers of the deaths of the persecutors of their Church cannot be accepted without reserve (see Schiller, *Gesch.*, ii. p. 183). It has been questioned whether such a disease as they describe has ever existed.

Maxentius at Turin, entered Milan, and laid siege to Verona, under the walls of which he gained a decisive victory over another army of his adversary. But the resources of Maxentius, both of men and money, were still considerable. A third army was soon collected, which the pusillanimous emperor was compelled by the contempt of the Roman people to lead in person. The final battle was fought at a place called Saxa Rubra, about nine miles from Rome. After an obstinate struggle the army of Maxentius was put to the rout, and his troops, pursued by an implacable enemy, rushed by thousands into the deep and rapid stream of the Tiber. The emperor himself attempted to escape back into the city over the Milvian bridge, but the crowds which pressed together through that narrow passage forced him into the river, where he was immediately drowned by the weight of his armour (October 27, A.D. 312).

Constantine's conduct at Rome: his triumphal arch: he suppresses the Prætorian guards.

§ 9. In the use of victory Constantine neither deserved the praise of clemency nor incurred the censure of immoderate rigour. He put to death the two sons of the tyrant, and carefully extirpated his whole race; but he pardoned even the most distinguished adherents of Maxentius. Games and festivals were instituted to preserve the fame of the victory of Constantine, and several edifices, raised at the expense of Maxentius, were dedicated to the honour of his successful rival. The triumphal arch of Constantine still remains a melancholy proof of the decline of the arts, and a singular testimony of the meanest vanity. As it was not possible to find in the capital of the empire a sculptor who was capable of adorning that public monument, the arch of Trajan, without any respect either for his memory or for the rules of propriety, was stripped of its most elegant figures. The difference of times and persons, of actions and characters, was totally disregarded. The Parthian captives appear prostrate at the feet of a prince who never carried his arms beyond the Euphrates; and curious antiquarians can still discover the head of Trajan on the trophies of Constantine. The new ornaments which it was necessary to introduce between the vacancies of ancient sculpture are executed in the rudest and most unskilful manner.

The final abolition of the Prætorian guards was a measure of prudence as well as of revenge. Those haughty troops, whose numbers and privileges had been restored, and even augmented, by Maxentius, were for ever suppressed by Constantine. By suppressing the troops which were usually stationed in Rome, Constantine gave the fatal blow to the dignity of the senate and people, and the disarmed capital was exposed, without protection, to the insults or neglect of its distant master. Constantine passed no more than two or three months in Rome, which he visited twice during the remainder of his life to celebrate the solemn festivals of the tenth and of the twentieth years of his reign. He was almost perpetually in motion, to

exercise the legions or to inspect the state of the provinces. Trèves, Milan, Aquileia, Sirmium, Naissus, and Thessalonica were the occasional places of his residence till he founded a NEW ROME on the confines of Europe and Asia.

War between Maximin and Licinius: death of Maximin.

§ 10. The war between Constantine and Maxentius was followed by a similar struggle between Licinius and Maximin (A.D. 313). Licinius had repaired to Milan to celebrate his marriage with Constantia, the sister of Constantine; but he was summoned from this city by the hostile approach of Maximin, who moved out of Syria in the depth of winter, crossed over into Europe, and took Byzantium after a siege of eleven days. The two armies met in the neighbourhood of Perinthus,* and Licinius gained a decisive victory over the emperor of the East. The incredible speed which Maximin exerted in his flight is much more celebrated than his prowess in the battle. Twenty-four hours afterwards he was seen pale, trembling, and without his Imperial ornaments, at Nicomedia, 160 miles from the place of his defeat. He survived his misfortune only three or four months. His death, which happened at Tarsus, was variously ascribed to despair, to poison, and to the divine justice. As Maximin was alike destitute of abilities and of virtue, he was lamented neither by the people nor by the soldiers. The provinces of the East, delivered from the terrors of civil war, cheerfully acknowledged the authority of Licinius.

War between Constantine and Licinius.

§ 11. The Roman world was now divided between Constantine and Licinius, the former of whom was master of the West, and the latter of the East. A year had scarcely elapsed after the death of Maximin, before the victorious emperors turned their arms against each other (A.D. 314). Constantine gained two victories over his opponent. The first battle was fought near Cibalis, a city of Pannonia, situated on the river Save; the second was fought in the plain of Mardia in Thrace, and both were obstinate and bloody. The successive defeats of Licinius had ruined his forces, but they had displayed his courage and abilities; and, accordingly, when he sued for peace, the good sense of Constantine preferred a great and certain advantage to a third trial of the chance of arms. He consented to leave Licinius in the possession of Thrace, a portion of Mœsia, Asia Minor, Syria, and Egypt; but the provinces of Pannonia, Noricum, Illyricum, Dacia, Upper Mœsia, Epirus, Macedonia, and Greece, were yielded to the Western empire, and the dominions of Constantine now extended from the confines of Caledonia to the extremity of Peloponnesus. It was stipulated by the same treaty that three royal youths, the sons of the emperors, should be called to the hopes of the succession. Crispus and the young Constantine were soon afterwards declared Cæsars in the West, while Licinianus, the son of Licinius, was invested with the

* The battle was fought between Perinthus and Hadrianople (Lactantius, *de mortibus persecutorum*, c. 45).

same dignity in the East. In this double proportion of honours, the conqueror asserted the superiority of his arms and power.

Constantine defeats the Goths.

§ 12. The reconciliation of Constantine and Licinius, though it was embittered by resentment and jealousy, by the remembrance of recent injuries, and by the apprehension of future dangers, maintained, however, above eight years, the tranquillity of the Roman world. This time was employed by Constantine in reforming the administration of the empire by various enactments, and in defending the frontiers against the inroads of the barbarians. Crispus, a youth of the most amiable character, who had received with the title of Cæsar the command of the Rhine, distinguished his conduct as well as valour in several victories over the Franks and Alemanni. The emperor himself had assumed the more difficult and important province of the Danube (A.D. 322). The Goths, who in the time of Claudius and Aurelian had felt the weight of the Roman arms, respected the power of the empire, even in the midst of its intestine divisions. But the strength of that warlike nation was now restored by a peace of near fifty years; a new generation had arisen, who no longer remembered the misfortunes of ancient days: the Sarmatians of the lake Mæotis followed the Gothic standard either as subjects or as allies, and their united force was poured upon the countries of Illyricum. Constantine encountered a very obstinate resistance, but he prevailed at length in the contest, and the Goths were compelled to purchase an ignominious retreat by restoring the booty and prisoners which they had taken. Nor was this advantage sufficient to satisfy the indignation of the emperor. He resolved to chastise as well as to repulse the insolent barbarians who had dared to invade the territories of Rome. At the head of his legions he passed the Danube, after repairing the bridge which had been constructed by Trajan, penetrated into the strongest recesses of Dacia, and, when he had inflicted a severe revenge, condescended to give peace to the suppliant Goths, on condition that, as often as they were required, they should supply his armies with a body of 40,000 soldiers.

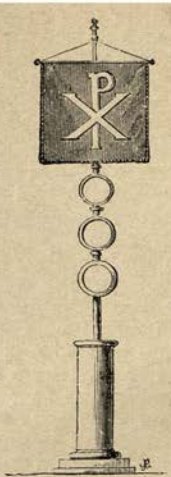
Second war between Constantine and Licinius: death of Licinius: reunion of the empire.

§ 13. In this exalted state of glory it was impossible that Constantine should any longer endure a partner in the empire. Confiding in the superiority of his genius and military power, he determined, without any previous injury, to exert them for the destruction of Licinius, whose advanced age and unpopular vices seemed to offer a very easy conquest. But the old emperor, awakened by the approaching danger, deceived the expectations of his friends, as well as of his enemies. Calling forth that spirit and those abilities by which he had deserved the friendship of Galerius and the Imperial purple, he prepared himself for the contest, collected the forces of the East, and soon filled the plains of Hadrianople with his troops, and the Straits of the Hellespont with his fleet. The first battle was fought near Hadrianople (July 3, A.D. 323), and each

emperor brought more than 100,000 men into the field. Licinius was defeated with great slaughter, his fortified camp was taken by storm, and he took refuge within the walls of Byzantium. The siege of this important city was immediately undertaken by Constantine. His son Crispus forced the passage of the Hellespont and destroyed the fleet of Licinius; whereupon Licinius, thinking himself no longer secure in the city, crossed over to Calchedon. In Bithynia Licinius collected another army, but was totally defeated in a second battle fought at Chrysopolis, now called Scutari. This defeat irretrievably determined the fate of Licinius. Constantia, the wife of Licinius, and the sister of Constantine, interceded with her brother in favour of her husband, and obtained from him the promise, confirmed by an oath, that, after the resignation of the purple, Licinius himself should be permitted to pass the remainder of his life in peace and affluence. Licinius solicited and accepted the pardon of his offences, laid himself and his purple at the feet of his *lord* and *master*, was raised from the ground with insulting pity, and soon afterwards was sent away to Thessalonica, which had been chosen for the place of his confinement. His confinement was soon terminated by death, and it is doubtful whether a tumult of the soldiers, or a decree of the senate, was suggested as the motive for his execution. According to the rules of tyranny, he was accused of forming a conspiracy, and of holding a treasonable correspondence with the barbarians; but as he was never convicted, either by his own conduct or by any legal evidence, we may perhaps be allowed, from his weakness, to presume his innocence. By this victory of Constantine the Roman world was again united under the authority of one emperor, thirty-seven years after Diocletian had divided his power and provinces with his associate Maximian (A.D. 324). The establishment of the Christain religion, and the foundation of Constantinople, were the immediate and memorable consequences of this revolution.

[Schiller, *Geschichte der Römischen Kaiserzeit*, III. ii. §§ 14-16; Ranke, *Weltgeschichte*, III. i. c. 15.]

Bronze medallion of Licinius.



The Labarum. See p. 143. (From a coin in the British Museum.)

## CHAPTER IX.

### THE CONDUCT OF THE ROMAN GOVERNMENT TOWARDS THE CHRISTIANS AND THE LEGAL ESTABLISHMENT OF CHRISTIANITY.

§ 1. Progress of the Christian religion. § 2. Causes of its persecution by the Roman government. § 3. Persecution of the Christians in the reign of Nero. § 4. In the reign of Domitian. § 5. In the reigns of Trajan, Hadrian, and M. Aurelius. § 6. Treatment of the Christians in the reigns of Commodus and Septimius Severus. § 7. Treatment of the Christians from the death of Severus to the death of Philip. § 8. From the death of Philip to the accession of Diocletian. § 9. Edicts of Diocletian against the Christians. § 10. General features of the persecution in the different provinces of the Roman Empire. § 11. Edict of toleration published by Galerius. § 12. Edict of Milan. § 13. Conversion of Constantine: appearance of a cross in the sky. § 14. The labarum or standard of the cross. § 15. Establishment of Christianity as the religion of the state.

Progress of the Christian religion.

§ 1. WHILE the Roman empire was invaded by open violence, or undermined by slow decay, a pure and humble religion gently insinuated itself into the minds of men, grew up in silence and obscurity, derived new vigour from opposition, and finally

erected the triumphant banner of the Cross on the ruins of the Capitol. Nor was the influence of Christianity confined to the period or to the limits of the Roman Empire. After a revolution of thirteen or fourteen centuries, that religion is still professed by the nations of Europe, the most distinguished portion of human kind in arts and learning as well as in arms. By the industry and zeal of the Europeans it has been widely diffused to the most distant shores of Asia and Africa; and by the means of their colonies has been firmly established from Canada to Chili, in a world unknown to the ancients.

Causes of its persecution by the Roman government.

§ 2. Notwithstanding the purity of the Christian religion, the sanctity of its moral precepts, and the innocent as well as austere lives of the greater number of those who during the first ages embraced the faith of the Gospel, its dissemination was violently opposed, and its disciples put to death, by many of the Roman emperors, who beheld without concern a thousand forms of religion subsisting in peace under their gentle sway. The first and chief cause of the persecution of the Christians was undoubtedly owing to their proselytising ardour. Believing that their religion was the only means of securing the eternal happiness of man, they could not rest without using every effort to convince the world of the truth of Christianity, and of the falsehood of the prevailing superstitions. Such conduct was diametrically opposed to the acknowledged Polytheism. The religious concord of the Pagan world was principally supported by the implicit assent and reverence which the nations of antiquity expressed for their respective traditions and ceremonies. Although the Jews also claimed the exclusive possession of divine knowledge, yet their case differed from that of the Christians in two important points, which saved them from the persecutions to which the Christians were exposed. In the first place, the Jews made few converts, and therefore did not provoke the anger of their neighbours by withdrawing friends and relations from the religion in which they had been brought up; and, in the second place, the Jews were a *nation*, while the Christians were a *sect*. The latter difference is simple and obvious, but according to the sentiments of antiquity, it was of the highest importance. The Jews only persevered in the sacred institutions of their ancestors; and it was universally acknowledged that they had a right to practice what it would have been criminal in them to neglect. But this principle, which protected the Jewish synagogue, afforded not any favour or security to the primitive church. By embracing the faith of the Gospel the Christians incurred the supposed guilt of an unnatural and unpardonable offence. They dissolved the sacred ties of custom and education, violated the religious institutions of their country, and presumptuously despised whatever their fathers had believed as true or had reverenced as sacred. Hence they became exposed to the unjust but dangerous imputation of impiety. They had separated themselves from

every mode of superstition which was received in any part of the globe by the various temper of Polytheism: but it was not altogether so evident what deity, or what form of worship, they had substituted for the gods and temples of antiquity. Malice and prejudice had, therefore, some colourable pretext for representing the Christians as a society of atheists, who, by the most violent attacks on the religious constitution of the empire, had merited the severest animadversions of the civil magistrate.

Moreover, the union and assemblies of the Christians were regarded with apprehension by the Roman government. It is well known that Roman policy viewed with the utmost jealousy and distrust any association among its subjects; and that the privileges of private corporations, though formed for the most harmless or beneficial purposes, were bestowed with a very sparing hand.* The religious assemblies of the Christians, who had separated themselves from the public worship, appeared of a much less innocent nature: they were illegal in their principle, and in their consequences might become dangerous; nor were the emperors conscious that they violated the laws of justice when, for the peace of society, they prohibited those secret and sometimes nocturnal meetings.

The manners of the Christians were calumniated. The precautions with which the disciples of Christ performed the offices of religion were at first dictated by fear and necessity; but they were continued from choice. It was concluded that they only concealed what they would have blushed to disclose. Their mistaken prudence afforded an opportunity for malice to invent, and for suspicious credulity to believe, the horrid tales which described the Christians as the most wicked of human kind. It was asserted that at their nocturnal meetings a new-born infant was slain; and that this inhuman sacrifice was succeeded by scenes of revolting intemperance and brutal lust.

Persecution of the Christians in the reign of Nero.

§ 3. The first persecution of the Christians was occasioned by the great fire of Rome, in the tenth year of the reign of Nero, A.D. 64. The voice of rumour accused the emperor as the incendiary of his own capital; every crime might be imputed to the assassin of his wife and mother; and, as the most incredible stories are the best adapted to the genius of an enraged people, it was gravely reported, and firmly believed, that Nero, enjoying the calamity which he had occasioned, amused himself with singing to his lyre the destruction of ancient Troy. To divert a suspicion which the power of despotism was unable to suppress, the emperor resolved to substitute in his own place some fictitious criminals. "With this view (says Tacitus) he inflicted the most exquisite tortures on those men who, under the vulgar appellation of Christians, were already branded with deserved infamy. They derived their name and origin from Christ, who, in the reign of Tiberius, had

* See Appendix, note 1, on "The principles regulating the establishment of corporations in general, and of religious colleges in particular."

suffered death by the sentence of the procurator Pontius Pilate. For a while this dire superstition was checked, but it again burst forth; and not only spread itself over Judæa, the first seat of this mischievous sect, but was even introduced into Rome, the common asylum which receives and protects whatever is impure, whatever is atrocious. The confessions of those who were seized * discovered a great multitude of their accomplices, and they were all convicted, not so much for the crime of setting fire to the city as for their hatred of human kind. They died in torments, and their torments were embittered by insult and derision. Some were nailed on crosses; others sewn up in the skins of wild beasts, and exposed to the fury of dogs; others, again, smeared over with combustible materials, were used as torches to illuminate the darkness of the night. The gardens of Nero were destined for the melancholy spectacle, which was accompanied with a horserace, and honoured with the presence of the emperor, who mingled with the populace in the dress and attitude of a charioteer. The guilt of the Christians deserved indeed the most exemplary punishment, but the public abhorrence was changed into commiseration, from the opinion that those unhappy wretches were sacrificed, not so much to the public welfare as to the cruelty of a jealous tyrant." † We might conclude from the preceding passage of Tacitus that this persecution was confined to the walls of Rome; but, according to the ecclesiastical historians, it extended to the whole empire.‡

In the reign of Domitian.

§ 4. The second persecution of the Christians was owing to the suspicions of Domitian.§ The exalted position of his own family alarmed the pusillanimous temper of the tyrant, which

* Tacitus (*l.c.*) says "primum correpti qui fatebantur, deinde indicio eorum multitudo ingens haud proinde in crimine incendii quam odio humani generis convicti sunt." The most natural interpretation of the passage is that those arrested admitted the charge, not of Christianity only, but of incendiarism. Furneaux (*ad loc.*) explains the difficulty by supposing that the Christians had already been presumed to be the incendiaries: so that the mere confession of this religion was accepted as a proof of the main charge.

† Tacitus, *Annals*, xv. 44.

‡ The evidence for the extension of this persecution beyond Rome is very late, the earliest writer who directly affirms it being Orosius (of the end of the 4th and beginning of the 5th centuries, A.D.). It is not impossible, however, that the action taken at Rome had some influence on the treatment of Christians in the provinces. See Furneaux, Tacitus, *Annals*, Appendix II., on "The Neronian persecution of the Christians."

§ *I.e.* the second recorded persecution. Ramsay (*The Church in the Roman Empire*, p. 256) supposes that the persecution, in the form of administrative measures of a repressive kind, was continued by Vespasian. This view, not improbable in itself, is almost wholly unsupported by evidence, no distinct mention of it being found either in Pagan or Christian writers. That it should have escaped the attention of the first class is likely enough, that it should have been omitted by the second is almost inconceivable. The scepticism of Schiller (*Geschichte*, II. i. 50; ii. 56) is not limited to the period for which evidence fails. He disbelieves in the persecutions both of Nero and of Domitian.

could only be appeased by the blood of those Romans whom he either feared, or hated, or esteemed. Of the two sons of his uncle Flavius Sabinus, the elder was soon convicted of treasonable intentions, and the younger, who bore the name of Flavius Clemens, was indebted for his safety to his want of courage and ability. The emperor for a long time distinguished so harmless a kinsman by his favour and protection, bestowed on him his own niece Domitilla, and invested him with the honours of the consulship. But he had scarcely finished the term of his annual magistracy, when on a slight pretence he was condemned and executed; Domitilla was banished to a desolate island on the coast of Campania; and sentences either of death or of confiscation were pronounced against a great number of persons who were involved in the same accusation. The guilt imputed to their charge was that of *Atheism** and *Jewish manners;* a singular association of ideas, which cannot with any propriety be applied except to the Christians, as they were obscurely and imperfectly viewed by the magistrates and by the writers of that period. But this persecution was of no long duration. A few months after the death of Clemens, Domitian was assassinated; and under the gentle administration of Nerva, while the innocent were restored to their rank and fortunes, even the most guilty either obtained pardon or escaped punishment.

In the reigns of Trajan, Hadrian, and M. Aurelius.

§ 5. It was not, however, only tyrants, like Nero and Domitian, who persecuted the Christians. Great and virtuous princes, such as Trajan and Marcus Aurelius, punished this unoffending class of their subjects with death and exile. The Christians do not appear, however, to have suffered much in the reign of Trajan, if we may form a judgment from the celebrated correspondence between the younger Pliny and this emperor. Pliny had been intrusted by his friend and master with the government of Bithynia and Pontus. He soon found himself at a loss to determine by what rule of justice or of law he should direct his conduct in the execution of an office the most repugnant to his humanity. He had never assisted at any judicial proceedings against the Christians, with whose name alone he seems to be acquainted; and he was totally uninformed with regard to the nature of their guilt, the method of their conviction, and the degree of their punishment. In this perplexity he had recourse to his usual expedient, of submitting to the wisdom of Trajan an impartial, and, in some respects, a favourable account of the new superstition, requesting the emperor that he would condescend to resolve his doubts and to instruct his ignorance.† The emperor replied by the following letter:—"The method you have pursued, my

* ἀθεότης, here translated "atheism," is, perhaps, rather "sacrilege" (*sacrilegium*) [Neumann, *Allgemeine Kirche*, p. 17; Ramsay, *op. cit.* p. 250]. Schiller (*Geschichte*, II. ii. 56) makes it equivalent to *impietas* simply. For a discussion of this persecution, see Ramsay, *op. cit.* p. 260.

† Pliny, *Letters to Trajan*, 96 (9 7).

dear Pliny, in the proceedings against those Christians which were brought before you, is extremely proper; as it is not possible to lay down any fixed plan by which to act in all cases of this nature. I would not have you enter into any official inquiry concerning them. But if they should be brought before you, and the crime is proved, they must be punished; with the restriction, however, that where the party denies himself to be a Christian, and shall make it evident that he is not, by invoking our gods, let him (notwithstanding any former suspicion) be pardoned upon his repentance. Informations without the accuser's name subscribed ought not to be received in prosecutions of any sort, as it introduces a very dangerous precedent, and is by no means agreeable to the equity of my government."

The persecution was renewed under Hadrian for a short time, ceased altogether under the peaceful reign of Antoninus Pius, but was again revived with great severity by Marcus Aurelius. It is a remarkable fact, that the reign of the wisest and most humane of the heathen emperors was more fatal to the Christians than the reigns of the greatest tyrants. The causes of this persecution are uncertain. Most writers have ascribed it to the latent bigotry of the character of Marcus Aurelius; others to the influence of the philosophic party; but the fact is admitted by all.

Treatment of the Christians in the reigns of Commodus and Septimius Severus.

§ 6. By a singular fatality the hardships which the Christians had endured under the government of a virtuous prince immediately ceased on the accession of a tyrant; and as none except themselves had experienced the injustice of Marcus, so they alone were protected by the lenity of Commodus. The celebrated Marcia, the most favoured of his concubines, was an unworthy member of the Christian church. Under her gracious protection the Christians passed in safety the thirteen years of a cruel tyranny; and when the empire was established in the house of Septimius Severus, they formed a domestic but more honourable connexion with the new court. The emperor was persuaded that, in a dangerous sickness, he had derived some benefit, either spiritual or physical, from the holy oil with which one of his slaves had anointed him. He always treated with peculiar distinction several persons of both sexes who had embraced the new religion. The nurse as well as the preceptor of Caracalla were Christians. Nor was the peace of the church interrupted till the increasing numbers of proselytes seem at length to have attracted the attention, and to have alienated the mind, of Severus (A.D. 202). With the design of restraining the progress of Christianity, he published an edict, which, though it was designed to affect only the new converts, could not be carried into strict execution without exposing to danger and punishment the most zealous of their teachers and missionaries.*

* He interdicted becoming a proselyte to Judaism or Christianity (*Vita*

Treatment of the Christians from the death of Severus to the death of Philip.

§ 7. But the laws which Severus had enacted soon expired with the authority of that emperor; and the Christians, after this accidental tempest, enjoyed a calm of thirty-eight years (A.D. 211–249), only interrupted by the brief reign of the savage Maximin. Till this period they had usually held their assemblies in private houses and sequestered places. They were now permitted to erect and consecrate convenient edifices for the purpose of religious worship; to purchase lands, even at Rome itself, for the use of the community; and to conduct the elections of their ecclesiastical ministers in a public manner. This long repose of the church was accompanied with dignity. The reigns of those princes who derived their extraction from the Asiatic provinces proved the most favourable to the Christians; the eminent persons of the sect were admitted into the palace in the honourable characters of priests and philosophers; and their mysterious doctrines, which were already diffused among the people, insensibly attracted the curiosity of their sovereign. When the empress Mamæa passed through Antioch, she listened with pleasure to the eloquent exhortations of the celebrated Origen. The sentiments of Mamæa were adopted by her son Alexander, who placed in his domestic chapel the statue of Christ along with those of Abraham, Orpheus, and Apollonius. A purer faith, as well as worship, was openly professed and practised among his household. Bishops, perhaps for the first time, were seen at court; and, after the death of Alexander (A.D. 235), when the inhuman Maximin discharged his fury on the favourites and servants of his unfortunate benefactor, a great number of Christians, of every rank, and of both sexes, were involved in the promiscuous massacre. During the whole reign of Maximin the Christians were exposed to persecution,* but as soon as Philip, who was born in the neighbourhood of Palestine, had usurped the Imperial sceptre (A.D. 244), they acquired a friend and a protector. The public and even partial favour of Philip towards the sectaries of the new religion, and his constant reverence for the ministers of the church, gave some colour to the suspicion, which prevailed in his own times, that the emperor himself was become a convert to the faith.

From the death of Philip to the accession of Diocletian.

§ 8. The fall of Philip (A.D. 249) introduced, with the change of masters, a new system of government, so oppressive to the Christians, that their former condition was represented as a state

*Sept. Severi*, 17, "Judæos fieri sub gravi pœna vetuit. Idem etiam de Christianis sanxit"). The probable result of this edict was that magistrates were supposed to take the initiative against converts and proselytisers. In the case of Christians by birth the rule of Trajan may have held good. This ordinance of Severus struck at the roots of the new religion, for *fiunt non nascuntur Christiani* (Tertullian, *Apologeticus* 18). See Bourre, *Des inégalités de condition résultant de la religion*, p. 63.

* See Appendix, note 2, on "The Persecution under Maximin."

of perfect freedom and security, if compared with the rigorous treatment which they experienced under the short reign of Decius. The virtues of that prince will scarcely allow us to suspect that he was actuated by a mean resentment against the favourites of his predecessor; and it is more reasonable to believe that, in the prosecution of his general design to restore the purity of Roman manners, he was desirous of delivering the empire from what he condemned as a recent and criminal superstition.* The bishops of the most considerable cities were removed by exile or death: the vigilance of the magistrates prevented the clergy of Rome during sixteen months from proceeding to a new election; and it was the opinion of the Christians that the emperor would more patiently endure a competitor for the purple than a bishop in the capital.

The administration of Valerian was distinguished by a levity and inconstancy ill suited to the gravity of the *Roman Censor*. In the first part of his reign he surpassed in clemency those princes who had been suspected of an attachment to the Christian faith. In the last three years and a half, listening to the insinuations of a minister addicted to the superstitions of Egypt, he adopted the maxims, and imitated the severity, of his predecessor Decius. The accession of Gallienus, which increased the calamities of the empire, restored peace to the church; and the Christians obtained the free exercise of their religion by an edict addressed to the bishops, and conceived in such terms as seemed to acknowledge their office and public character. The ancient laws, without being formally repealed, were suffered to sink into oblivion; and (excepting only some hostile intentions which are attributed to the emperor Aurelian) the disciples of Christ passed above 40 years in a state of prosperity, far more dangerous to their virtue than the severest trials of persecution.

Edicts of Diocletian against the Christians.

§ 9. During the first nineteen years of the reign of Diocletian, the Christians continued to enjoy the free exercise of their religion without any molestation. But notwithstanding this seeming security, an attentive observer might discern some symptoms that threatened the church with a more violent persecution than any which she had yet endured. The zeal and rapid progress of the Christians awakened the Polytheists from their supine indifference in the cause of those deities whom custom and education had taught them to revere. The mutual provocations of a religious war, which had already continued above 200 years, exasperated the animosity of the contending parties. The Pagans were incensed at the rashness of a recent and obscure sect, which presumed to accuse their countrymen of error, and to devote their ancestors to eternal

* This was the first general persecution officially directed against the whole Christian population. It marked the beginning of exceptional legal measures against the Christians, above all of torture of the accused to compel abjuration of their religion. See Bourre, *op. cit.* p. 66.

misery. The habit of justifying the popular mythology against the invectives of an implacable enemy, produced in their minds some sentiments of faith and reverence for a system which they had been accustumed to consider with the most careless levity. They invented new modes of sacrifice, of expiation, and of initiation; attempted to revive the credit of their expiring oracles; and listened with eager credulity to every impostor who flattered their prejudices by a tale of wonders. Philosophy, the most dangerous enemy of Polytheism, was now converted into her most useful ally. The prevailing sect of the new Platonicians judged it prudent to connect themselves with the priests, whom perhaps they despised, against the Christians, whom they had reason to fear. These fashionable philosophers prosecuted the design of extracting allegorical wisdom from the fictions of the Greek poets; instituted mysterious rites of devotion for the use of their chosen disciples; recommended the worship of the ancient gods as the emblems or ministers of the Supreme Deity, and composed against the faith of the Gospel many elaborate treatises.

Although the policy of Diocletian and the humanity of Constantius inclined them to preserve inviolate the maxims of toleration, it was soon discovered that their two associates, Maximian and Galerius, entertained the most implacable aversion for the name and religion of the Christians. After the success of the Persian war had raised the hopes and the reputation of Galerius, he passed a winter with Diocletian in the palace of Nicomedia, and after much importunity he at length persuaded Diocletian to issue an edict for a general persecution of the Christians. The edict of persecution was published on Feb. 24, A.D. 303; and though Diocletian, still averse to the effusion of blood, had moderated the fury of Galerius, the penalties inflicted on the obstinacy of the Christians might be deemed sufficiently rigorous and effectual. It was enacted that their churches, in all the provinces of the empire, should be demolished to their foundations; and the punishment of death was denounced against all who should presume to hold any secret assemblies for the purpose of religious worship. The bishops and presbyters were ordered to deliver all their sacred books into the hands of the magistrates, who were commanded, under the severest penalties, to burn them in a public and solemn manner. After taking such effectual measures to abolish the worship and to dissolve the government of the Christians, it was thought necessary to subject to the most intolerable hardships the condition of those perverse individuals who should still reject the religion of nature, of Rome, and of their ancestors. Persons of a liberal birth were declared incapable of holding any honours or employments, and slaves were for ever deprived of the hopes of freedom.

Some slight disturbances, though they were suppressed almost

as soon as excited, in Syria and the frontiers of Armenia, afforded the enemies of the church a very plausible occasion to insinuate that those troubles had been secretly fomented by the intrigues of the bishops, who had already forgotten their ostentatious professions of passive and unlimited obedience. The resentment, or the fears, of Diocletian at length transported him beyond the bounds of moderation which he had hitherto preserved, and he declared, in a series of cruel edicts, his intention of abolishing the Christian name. By the second of his edicts the governors of the provinces were directed to apprehend all persons of the ecclesiastical order; and the prisons destined for the vilest criminals were soon filled with a multitude of bishops, presbyters, deacons, readers, and exorcists. By a third edict the magistrates were commanded to employ every method of severity which might reclaim them from their odious superstition, and oblige them to return to the established worship of the gods. This rigorous order was extended by a subsequent edict to the whole body of Christians, who were exposed to a violent and general persecution.* Instead of those salutary restraints which had required the direct and solemn testimony of an accuser, it became the duty as well as the interest of the Imperial officers to discover, to pursue, and to torment the most obnoxious among the faithful. Heavy penalties were denounced against all who should presume to save a proscribed sectary from the just indignation of the gods and of the emperors.

General features of the persecution in the different provinces of the Roman Empire.

§ 10. Diocletian had no sooner published his edicts against the Christians than, as if he had been desirous of committing to other hands the work of persecution, he divested himself of the Imperial purple. The character and situation of his colleagues and successors sometimes urged them to enforce, and sometimes inclined them to suspend, the execution of these rigorous laws; nor can we acquire a just and distinct idea of this important period of ecclesiastical history unless we separately consider the state of Christianity, in the different parts of the empire, during the space of ten years which elapsed between the first edicts of Diocletian and the final peace of the church.

The mild and humane temper of Constantius was averse to the oppression of any part of his subjects. The principal offices of his palace were exercised by Christians. He loved their persons, esteemed their fidelity, and entertained not any dislike to their religious principles. But as long as Constantius remained in the subordinate station of Cæsar, it was not in his power openly to reject the edicts of Diocletian, or to disobey the commands of Maximian. His authority contributed, however, to alleviate the sufferings which he pitied and abhorred. He consented with reluctance to the ruin of the churches, but he ventured to protect the Christians themselves from the fury of

* This fourth edict was due to Galerius alone (Eusebius, *de martyribus Palestinæ* 3; Allard, *La persécution de Dioclétien*, i. p. 277).

the populace and from the rigour of the laws. The elevation of Constantius to the supreme and independent dignity of Augustus gave a free scope to the exercise of his virtues, and the shortness of his reign did not prevent him from establishing a system of toleration of which he left the precept and the example to his son Constantine. His fortunate son, from the first moment of his accession declaring himself the protector of the church, at length deserved the appellation of the first emperor who publicly professed and established the Christian religion. The motives of his conversion, and the establishment of Christianity as the reigning religion of the Roman empire, are related below. At present it may be sufficient to observe that every victory of Constantine was productive of some relief or benefit to the church.

The provinces of Italy and Africa experienced a short but violent persecution. The rigorous edicts of Diocletian were strictly and cheerfully executed by his associate Maximian, who had long hated the Christians, and who delighted in acts of blood and violence. After Diocletian had divested himself of the purple, Italy and Africa were administered under the name of Severus, and were exposed, without defence, to the implacable resentment of his master Galerius. The revolt of Maxentius immediately restored peace to the churches of Italy and Africa,* and the same tyrant who oppressed every other class of his subjects showed himself just, humane, and even partial, towards the afflicted Christians. He depended on their gratitude and affection, and very naturally presumed that the injuries which they had suffered, and the dangers which they still apprehended, from his most inveterate enemy, would secure the fidelity of a party already considerable by their numbers and opulence.

The sanguinary temper of Galerius, the first and principal author of the persecution, was formidable to those Christians whom their misfortunes had placed within the limits of his dominions. As long as he commanded only the armies and provinces of Illyricum, he could with difficulty either find or make a considerable number of martyrs in a warlike country which had entertained the missionaries of the Gospel with more coldness and reluctance than any other part of the empire. But when Galerius had obtained the supreme power and the government of the East, he indulged in their fullest extent his zeal and cruelty, not only in the provinces of Thrace and Asia, which acknowledged his immediate jurisdiction, but in those of Syria, Palestine, and Egypt, where Maximin gratified his own inclination by yielding a rigorous obedience to the stern commands of his benefactor.†

* The persecution had ceased in Italy and Africa early in A.D. 305 (Eusebius, *de Martyribus Palestinæ*, 13), and so before the usurpation of Maxentius (October, A.D. 306).

† This persecution in the East commenced in A.D. 306 (Allard, *La persécution de Dioclétien*, ii. p. 36).

§ 11. The frequent disappointments of his ambitious views, the experience of six years of persecution, and the salutary reflections which a lingering and painful distemper suggested to the mind of Galerius, at length convinced him that the most violent efforts of despotism are insufficient to extirpate a whole people, or to subdue their religious prejudices. Desirous of repairing the mischief that he had occasioned, he published in his own name, and in those of Licinius and Constantine, a general edict of toleration, in which he permitted the Christians freely to profess their private opinions, and to assemble in their conventicles without fear or molestation, provided always that they preserved a due respect to the established laws and government (A.D. 311). After the death of Galerius Maximin prepared to renew the persecution; but the civil war which he so rashly undertook against Licinius employed all his attention; and the defeat and death of Maximin soon delivered the church from the last and most implacable of her enemies.

Edict of toleration published by Galerius.

§ 12. A few months after the death of Maxentius in A.D. 313, by which event Constantine became the master of Italy, he published the celebrated edict of Milan, which restored peace to the Christain church, and was of a far more comprehensive nature than the simple edict of toleration which had been previously issued by Galerius. In the personal interview of the two princes, Constantine, by the ascendant of genius and power, obtained the ready concurrence of his colleague, Licinius; and after the death of Maximin the edict of Milan was received as a general and fundamental law of the Roman world.

Edict of Milan.

The wisdom of the emperors provided for the restitution of all the civil and religious rights of which the Christians had been so unjustly deprived. It was enacted that the places of worship, and public lands, which had been confiscated, should be restored to the church, without dispute, without delay, and without expense. The salutary regulations which guard the future tranquillity of the faithful are framed on the principles of enlarged and equal toleration; and such an equality must have been interpreted by a recent sect as an advantageous and honourable distinction. The two emperors proclaim to the world that they have granted a free and absolute power to the Christians, and to all others, of following the religion which each individual thinks proper to prefer, to which he has addicted his mind, and which he may deem the best adapted to his own use. They carefully explain every ambiguous word, remove every exception, and exact from the governors of the provinces a strict obedience to the true and simple meaning of an edict which was designed to establish and secure, without any limitation, the claims of religious liberty. They condescend to assign two weighty reasons which have induced them to allow this universal toleration: the humane intention of consulting the peace and happiness of their people; and the pious hope that by such a conduct they shall appease and propitiate *the*

*Deity*, whose seat is in heaven. They gratefully acknowledge the many signal proofs which they have received of the divine favour; and they trust that the same Providence will for ever continue to protect the prosperity of the prince and people.

Conversion of Constantine: appearance of a cross in the sky.

§ 13. The preceding vague and indefinite expressions of piety are certainly insufficient to prove that Constantine had at that time embraced Christianity. The exact date of his conversion is uncertain. Ecclesiastical history ascribes it almost unanimously to a conspicuous miracle which occurred shortly before the final struggle with Maxentius. In one of the marches of Constantine he is reported to have seen with his own eyes the luminous trophy of the cross, placed above the meridian sun, and inscribed with the following words: BY THIS CONQUER. This amazing object in the sky astonished the whole army, as well as the emperor himself, who was yet undetermined in the choice of a religion: but his astonishment was converted into faith by the vision of the ensuing night. Christ appeared before his eyes; and displaying the same celestial sign of the cross, he directed Constantine to frame a similar standard, and to march, with an assurance of victory, against Maxentius and all his enemies.

This miracle rests upon the authority of Eusebius, bishop of Cæsarea, who says,* that Constantine, in the freedom of conversation, had related to him this extraordinary incident of his own life, and had attested the truth of it by a solemn oath. The testimony is suspicious; and the character of Constantine is not so pure as to induce us to give credence to so stupendous a miracle upon his sole and unsupported evidence. It is not, however, necessary to suppose that he was insincere in the profession of Christianity, or that his mind was influenced only by a sense of interest. In the beginning of the fourth century the Christians still bore a very inadequate proportion to the inhabitants of the empire; but among a degenerate people, who viewed the change of masters with the indifference of slaves, the spirit and union of a religious party might assist the popular leader, to whose service, from a principle of conscience, they had devoted their lives and fortunes. The example of his father had instructed Constantine to esteem and to reward the merit of the Christians; and in the distribution of public offices he had the advantage of strengthening his government by the choice of ministers or generals in whose fidelity he could repose a just and unreserved confidence. While Constantine in his own dominions increased the number and zeal of his faithful adherents, he could depend on the support of a powerful faction in those provinces which were still possessed or usurped by his rivals. A secret disaffection was diffused among the Christian subjects of Maxentius and Licinius; and the resentment which the latter did not attempt to conceal served only to engage them still more deeply in the interest of his competitor. In an age

* Eusebius, *Vita Constantini*, i. cc. 28, 29, 30.

of religious fervour the most artful statesmen are observed to feel some part of the enthusiasm which they inspire. Personal interest is often the standard of our belief, as well as of our practice; and the same motives of temporal advantage which might influence the public conduct and professions of Constantine would insensibly dispose his mind to embrace a religion so propitious to his fame and fortunes. His vanity was gratified by the flattering assurance that *he* had been chosen by Heaven to reign over the earth; success had justified his divine title to the throne, and that title was founded on the truth of the Christian revelation. As real virtue is sometimes excited by undeserved applause, the specious piety of Constantine, if at first it was only specious, might gradually, by the influence of praise, of habit, and of example, be matured into serious faith. Constantine, however, delayed his baptism till the time of his death. This delay can hardly be accounted for upon the supposition that he wished to leave a door open by which he might return to the Pagan religion of his ancestors; for many years before his baptism and death he had proclaimed to the world that neither his person nor his image should ever more be seen within the walls of an idolatrous temple; while he distributed through the provinces a variety of medals and pictures which represented the emperor in a humble and suppliant posture of Christian devotion. He seems rather to have postponed this sacrament in order to obtain at the last moment of his life a full and absolute expiation of his sins; since, according to the doctrine of the Catholic church, the soul was instantly restored by this sacrament to its original purity, and entitled to the promise of eternal salvation. The example and reputation of Constantine seemed to countenance the delay of baptism. Future tyrants were encouraged to believe that the innocent blood which they might shed in a long reign would instantly be washed away in the waters of regeneration; and the abuse of religion dangerously undermined the foundations of moral virtue.

§ 14. The origin of the *Labarum*,* or celebrated standard of the cross, is ascribed, as we have already seen, to the miraculous dream of Constantine. It is described as a long pike intersected by a transversal beam. The silken veil which hung down from the beam was curiously inwrought with the images of the reigning monarch and his children. The summit of the pike supported a crown of gold, which enclosed the mysterious monogram, at once expressive of the figure of the cross and the initial letters of the name of Christ. The safety of the labarum was

The labarum or standard of the cross.

* The etymology of the word is still wholly doubtful. Early writers and early scholars connected it with *labor* [Godofredus believed that "the fifty" who guarded it were the *Præpositi laborum* of Codex Theodosianus, 56, 25]. Others think it a Basque word, signifying the four points of a cross (*lauaro*, De Larramendi, *Diccionario Trilingue* s.v. *laburo*). Its derivation from this source might be explained by the fact that Constantine was brought up in Gaul. On the *labarum* see H. Stevenson in Kraus, *Real Encyklopädie der christlichen Alterthümer, s.v.*

intrusted to 50 guards of approved valour and fidelity; their station was marked by honours and emoluments; and some fortunate accidents soon introduced an opinion that as long as the guards of the labarum were engaged in the execution of their office they were secure and invulnerable amidst the darts of the enemy. In the second civil war Licinius felt and dreaded the power of this consecrated banner, the sight of which in the distress of battle animated the soldiers of Constantine with an invincible enthusiasm, and scattered terror and dismay through the ranks of the adverse legions. The Christian emperors, who respected the example of Constantine, displayed in all their military expeditions the standard of the cross; but when the degenerate successors of Theodosius had ceased to appear in person at the head of their armies, the labarum was deposited as a venerable but useless relic in the palace of Constantinople. Its honours are still preserved on the medals of the Flavian family. Their grateful devotion has placed the monogram of Christ in the midst of the ensigns of Rome. The solemn epithets of safety of the republic, glory of the army, restoration of public happiness, are equally applied to the religious and military trophies; and there is still extant a medal of the emperor Constantius, where the standard of the labarum is accompanied with these memorable words, BY THIS SIGN THOU SHALT CONQUER.*

Establishment of Christianity as the religion of the state.

§ 15. The establishment of Christianity as the religion of the state followed the defeat of Licinius (A.D. 324). As soon as that event had invested Constantine with the sole dominion of the Roman world, he immediately, by circular letters, exhorted all his subjects to imitate without delay the example of their sovereign, and to embrace the divine truth of Christianity.

The irresistible power of the Roman emperors was displayed in the important and dangerous change of the national religion. The terrors of a military force silenced the faint and unsupported murmurs of the Pagans, and there was reason to expect that the cheerful submission of the Christian clergy, as well as people, would be the result of conscience and gratitude. It was long since established as a fundamental maxim of the Roman constitution, that every rank of citizens was alike subject to the laws, and that the care of religion was the right as well as duty of the civil magistrate. Constantine and his successors could not easily persuade themselves that they had forfeited, by their conversion, any branch of the Imperial prerogatives, or that they were incapable of giving laws to a religion which they had protected and embraced. The emperors still continued to exercise a supreme jurisdiction over the ecclesiastical order; and the sixteenth book of the Theodosian code represents, under a

* The words τούτῳ νίκα or *in hoc vinces* often appear in Christian inscriptions, sometimes in connection with the monogram found on the *labarum*. See H. Stevenson, *l.c.* On the coins of Constantine with Christian emblems see Schiller, *Geschichte*, III. i. § 17.

variety of titles, the authority which they assumed in the government of the catholic church.

Constantine allowed his Pagan subjects the free exercise of their religion; but the piercing eye of ambition and avarice soon discovered that the profession of Christianity might contribute to the interest of the present, as well as of a future life. The hopes of wealth and honours, the example of an emperor, his exhortations, his irresistible smiles, diffused conviction among the venal and obsequious crowds which usually fill the apartments of a palace. The cities which signalised a forward zeal by the voluntary destruction of their temples were distinguished by municipal privileges and rewarded with popular donatives; and the new capital of the East gloried in the singular advantage that Constantinople was never profaned by the worship of idols. As the lower ranks of society are governed by imitation, the conversion of those who possessed any eminence of birth, of power, or of riches, was soon followed by dependent multitudes. The powerful influence of Constantine was not circumscribed by the narrow limits of his life or of his dominions. The education which he bestowed on his sons and nephews secured to the empire a race of princes whose faith was still more lively and sincere, as they imbibed, in their earliest infancy, the spirit, or at least the doctrine, of Christianity. War and commerce had spread the knowledge of the Gospel beyond the confines of the Roman provinces; and the barbarians, who had disdained an humble and proscribed sect, soon learned to esteem a religion which had been so lately embraced by the greatest monarch and the most civilised nation of the globe.

[Ramsay, *The Church in the Roman Empire before* A.D. 170; Allard, *Histoire des persécutions:* (I.) *pendant les deux premiers siècles;* (II.) *pendant la première moitié du troisième siècle;* (III.) *Les dernières persécutions du troisième siècle;* (IV. and V.) *La persécution de Dioclétien et le triomphe de l'Église.* Aubé (I.) *Historie des persécutions de l'Église jusqu' a la fin des Antonins;* (II.) *Les Chrétiens dans l'Empire romain de la fin des Antonins au milieu du troisième siècle*; Doulcet, *Essai sur les rapports de l'Église Chrétienne avec l'état romain pendant les trois premiers siècles;* Mason, *The persecution of Diocletian;* Neumann, *Der römische Staat und die allgemeine Kirche bis auf Diocletian;* Görres, *Christenverfolgungen* in Kraus, *Real Encyklopädie der Christlichen Alterthümer*, i. p. 215; Hardy, *Christianity and the Roman government;* Conrat (Cohn), *Die Christenverfolgungen im Römischen Reiche;* Bourre, *Des inégalités de condition résultant de la religion en droit romain.*]

# APPENDIX.

NOTE 1 (§ 2).—"THE PRINCIPLES REGULATING THE ESTABLISHMENT OF CORPORATIONS IN GENERAL AND OF RELIGIOUS COLLEGES IN PARTICULAR."

The state control of all forms of combination and association touched on in the text has a history which is obscure for the times of the Roman Republic, but which fortunately becomes clearer when Christian associations first begin to take their place amongst the guilds (*collegia*) of the Roman world.

According to the theory of the early Roman law the right of association was perfectly free. Consequently a definitely criminal object had to be proved against an association to constitute it an illegal gathering. This is the principle expounded by Gaius in the Digest (47, 22, 4)—

"Sodales sunt, qui ejusdem collegii sunt—his autem potestatem facit lex pactionem quam velint sibi ferre, dum ne quid ex publica lege corrumpant."

But even during the Republic the senate had exercised a police supervision over such societies; their political aims were at times suspected, and in 64 B.C. a decree of the senate dissolved many of the *collegia*, some of which may have been formed ostensibly for purposes of trade, others for the promotion of local worship.

The Empire was not unnaturally even more inimical than the Republican senate to the formation of clubs which, whatever their outward profession, might have a secret political aim. Each guild required a separate state authorisation from the senate which was suggested or approved by the emperor; an authorised society is now a gathering of individuals "quibus senatus c. c. c. (coire, convenire collegiumque habere) permisit e lege Julia ex auctoritate Augusti." Henceforth a college receives a sanction for its existence only on proof of a "causa" or ground of public utility, and the formation of a club even for harmless purposes might be permitted only on certain conditions. A college which had not received such a sanction was "illicit" (*collegium illicitum*).

There were, however, partial exceptions to this rule. There is evidence for the view that two kinds of collegia had a general authorisation. These were burial societies (*collegia tenuiorum*) and associations formed purely for the purpose of religious worship. It is doubtful, however, whether this concession, stated by the Jurist Marcian (Digest, 47, 22, 1,) and found in a public notice issued by a funeral guild of Lanuvium (Bruns, *Fontes juris Romani antiqui*,[5] p. 315), was more than a general permission, and whether it exempted each college from asking for a charter on the occasion of its separate foundation.

This permit, whether we conceive it to have been of an absolute character or to have been limited by the requisite of special investigation of the motives of each separate *collegium*, directly affected the legality of the early Christian societies. They were religious associations, and, as we learn from Tertullian's description of the Christian society at Carthage (*Apologeticus*, 39), they often assumed the form of funeral guilds. This latter form was one forced upon them by the religious beliefs of their members, and was, therefore, not adopted by them solely with the object of sheltering themselves under the general permit of the Roman law. Under both these aspects they had a legal right to exist, unless their foundation could be proved to violate such fundamental conditions as are implied in the following words in which Marcian describes the right of assemblage possessed by religious bodies:—"Sed religionis causa coire non prohibentur, dum tamen per hoc non fiat contra senatus consultum, quo collegia illicita arcentur."

We do not know what were the precise conditions necessary to make an otherwise permissible society "illicit." The proof of a definitely criminal object certainly, but, perhaps, more generally an object that could be construed as hostile to the existing organisation of the state or even of society. It was the suspicion aroused by the imagined motives and the conduct of the early Christian unions that led to their persecution. It may, indeed, have been legally possible to suppress many of them simply as being secret and unchartered corporations; but, apart from the suspicions excited by their very secrecy and isolation from the world, their existence would probably have been tolerated by the government. The legal grounds for the persecution vary as the charges brought against the Christians are of a special or of a general character. At first persecution takes the form of a prosecution for specific crimes; but, as early as the time of Trajan, Christianity, as the symbol of an illicit association, is interpreted to mean treason (*majestas*): although even at this time Pliny is uncertain whether it is "the name," or criminal acts committed under cover of the name, that should be visited by the laws (Pliny, *Letters to Trajan*, 96, 2: "nec mediocriter hæsitavi—nomen ipsum, si flagitiis careat, an flagitia cohærentia nomini puniantur"). Lastly, with the spread of the universal church and the growth of the hierarchy, Christianity had become a single world-wide organisation, confronting and often in conflict with the imperial system. To crush it as the enemy of that system or to recognise it as its main support were the only alternatives open to the rulers of the world.

[Waltzing, *Étude historique sur les corporations professionelles chez les Romains depuis les origines jusqu' à la chute de l'Empire d'occident*; 2 vols. (See a review of vol. i. of this work in Classical Review, vol. x. no. 1); Liebenam, *Zur Geschichte und Organisation des Römischen Vereinswesens*; Cohn, *Zum Römischen Vereinsrecht*; Conrat (Cohn), *Die Christenverfolgungen im römischen Reiche vom Standpunkte des Juristen*.]

### Note 2 (§ 7).—"The Persecution under Maximin."

It is more than questionable whether we can speak of a general persecution of the Christians ordained or carried out by the emperor Maximin. Occasional activity against the churches is certainly observable, but the efforts of Maximin are distinguished by two limiting characteristics.

(i.) Where the churches were attacked, attention was directed almost exclusively to the heads of these societies, to the clergy itself. This shows that the church as an organised corporation was officially known to the civil power. The names of its chiefs may have appeared in the registers of the governors of the provinces, and on those of the *præfectus urbi* at Rome; under Severus Alexander it had been a recognised corporation; hence the publicity given to the names of its officers. This publicity, which became a terrible weapon in the hands of a ruler like Decius who aimed at stamping out the hierarchy, gave opportunity for the milder form of persecution undertaken by Maximin. It enabled him to chastise the church lightly through its heads, without directing blows against the mass of the Faithful. How light the chastisement was is shown by the fact that no martyrs are known to Eusebius for this period; the church under Maximin's persecution can boast only of *Confessores*.

(ii.) The persecution was very local. It is found at Rome, from which Pontianus and Hippolytus were deported to Sardinia; yet even here a new bishop, Anteros, was in less than two months ordained in the place of Pontianus. In the East, the high-minded Serenianus, legate of Cappadocia, [*omnium vir sanctissimus* (*Vita Alexandri*, 68)] undertook a more vigorous persecution. But this was due mainly to local causes. Great physical disturbances, such as earthquakes, had alarmed the inhabitants, and the fanatical interpretation of these events by the Montanists was interpreted as Christianity by the Pagans. Elsewhere there was peace; we hear of no

active persecution in Africa, Gaul, Britain, Spain, Illyricum, none in Egypt or in the greater part of Syria.

The weakness of this persecution cannot have been due to lack of power on the part of the emperor; for, up to the time of the African revolt in the spring of A.D. 238, he was the actual ruler of the Roman world. Nor was the attack itself due to the emperor's leanings towards Paganism; for Maximin robbed temples and melted down offerings and statues. The only adequate motive is that of hostility to the house of his predecessor, Alexander—the motive attributed to him by Eusebius (*Historia Ecclesiastica*, vi. 28). It was not, however, blind enmity, but a consciousness of the fact that the *entourage* of Severus Alexander was composed mainly of Christians, and that the usurper did not have their support. But a definite persecution would have uselessly challenged their hostility; all that was necessary was to adopt precautionary measures and to set a watch over the churches. This view accounts for the restriction of the attacks to the clergy and for the local character of the persecution. As there was no general edict, but only a series of *mandata* to different officials and governors, enjoining them to take the requisite measures of safety, each official or governor acted according to the necessities of the case. A stimulus to action does not appear to have arisen except in Rome, Cappadocia, and Pontus.

[Allard, *Histoire des persécutions pendant la première moitié du troisième siècle*, p. 194; Neumann, *Der Römische Staat und die allgemeine Kirche*, i. p. 223; Görres in Kraus, *Real Encyklopädie der Christlichen Alterthümer*, i. p. 230.]

# CHAPTER X.

## FOUNDATION OF CONSTANTINOPLE—POLITICAL SYSTEM OF CONSTANTINE AND HIS SUCCESSORS.

§ 1. Design of a new capital. § 2. Description of Constantinople. § 3. The Bosporus. § 4. The harbour of Constantinople. § 5. The Propontis. § 6. The Hellespont. § 7. Advantages of Constantinople. § 8. Foundation of the city: its extent. § 9. Edifices. § 10. Population and privileges: dedication of the city. § 11. Form of government: three ranks of honour. § 12. The Consuls and Patricians. § 13. The four Prætorian Præfects: the Præfects of Rome and Constantinople. § 14. Dioceses of the empire: governors of the provinces. § 15. The profession of the law. § 16. The military officers. § 17. Reduction of the size of the legions. § 18. Seven ministers of the palace. § 19. Agents or official spies. § 20. Taxation.

Design of a new capital.

§ 1. AFTER the defeat and abdication of Licinius his victorious rival proceeded to lay the foundations of a city destined to reign in future times the mistress of the East, and to survive the empire and religion of Constantine. The motives, whether of pride or of policy, which first induced Diocletian to withdraw himself from the ancient seat of government, had acquired additional weight by the example of his successors and the habits of forty years. Rome was insensibly confounded with the dependent kingdoms which had once acknowledged her supremacy; and the country of the Cæsars was viewed with cold indifference by a martial prince, born in the neighbourhood of the Danube, educated in the courts and armies of Asia, and invested with the purple by the legions of Britain. The Italians, who had received Constantine as their deliverer, submissively obeyed the edicts which he sometimes condescended to address to the senate and people of Rome; but they were seldom honoured with the presence of their new sovereign. During the vigour of his age, Constantine, according to the various exigencies of peace and war, moved with slow dignity or with active diligence along the frontiers of his extensive dominions; and was always prepared to take the field either against a foreign or a domestic enemy. But as he gradually reached the summit of prosperity and the decline of life, he began to meditate the design of fixing in a more permanent station the strength as well as majesty of the throne. In the choice of an advantageous situation he preferred the confines of Europe and Asia; to curb with a

powerful arm the barbarians who dwelt between the Danube and the Tanais; to watch with an eye of jealousy the conduct of the Persian monarch, who indignantly supported the yoke of an ignominious treaty. With these views Diocletian had selected and embellished the residence of Nicomedia: but the memory of Diocletian was justly abhorred by the protector of the church; and Constantine was not insensible to the ambition of founding a city which might perpetuate the glory of his own name. During the late operations of the war against Licinius he had sufficient opportunity to contemplate, both as a soldier and as a statesman, the incomparable position of Byzantium; and to observe how strongly it was guarded by nature against an hostile attack, whilst it was accessible on every side to the benefits of commercial intercourse. Many ages before Constantine, one of the most judicious historians of antiquity,* had described the advantages of a situation from whence a feeble colony of Greeks derived the command of the sea, and the honours of a flourishing and independent republic.

Description of Constantinople.

§ 2. If we survey Byzantium in the extent which it acquired with the august name of Constantinople, the figure of the Imperial city may be represented under that of an unequal triangle. The obtuse point, which advances towards the east and the shores of Asia, meets and repels the waves of the Thracian Bosporus. The northern side of the city is bounded by the harbour, and the southern is washed by the Propontis or Sea of Marmara. The basis of the triangle is opposed to the west, and terminates the continent of Europe. But the admirable form and division of the circumjacent land and water cannot, without a more ample explanation, be clearly or sufficiently understood.

The Bosporus.

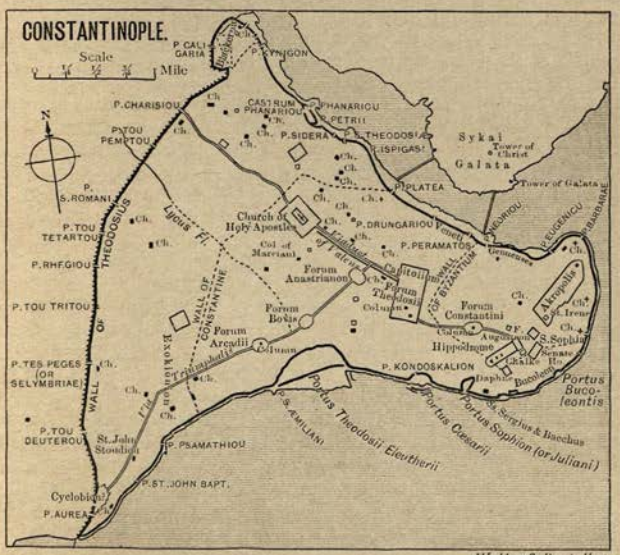
§ 3. The winding channel through which the waters of the Euxine flow with a rapid and incessant course towards the Mediterranean received the appellation of Bosporus, a name not less celebrated in history than in the fables of antiquity. From the Cyanean rocks, which terminate the straits, to the point and harbour of Byzantium, the winding length of the Bosporus extends about 16 miles, and its most ordinary breadth may be computed at about one mile and a half. The *new* castles of Europe and Asia are constructed, on either continent, upon the foundations of two celebrated temples, of Serapis and of Jupiter Urius. The *old* castles, a work of the Greek emperors, command the narrowest part of the channel, in a place where the opposite banks advance within 600 yards of each other. These fortresses were restored and strengthened by Mahomet the Second when he meditated the siege of Constantinople: but the Turkish conqueror was most probably ignorant that, near two thousand years before his reign, Darius had chosen the same situation to connect the two continents by a bridge of boats. At a small distance from the old castles we discover the little

* Polybius. iv. 45.

town of Chrysopolis, or Scutari, which may almost be considered as the Asiatic suburb of Constantinople. The Bosporus, as it begins to open into the Propontis, passes between Byzantium and Calchedon.

The harbour of Constantinople.

§ 4. The harbour of Constantinople, which may be considered as an arm of the Bosporus, obtained, in a very remote period, the denomination of the *Golden Horn*. The curve which it describes might be compared to the horn of a stag, or as it should seem, with more propriety, to that of an ox. The epithet of *golden* was expressive of the riches which every wind wafted from the most distant countries into the secure and capacious port of Constantinople. The river Lycus, formed by the conflux




Map of Constantinople.

of two little streams, pours into the harbour a perpetual supply of fresh water, which serves to cleanse the bottom and to invite the periodical shoals of fish to seek their retreat in that convenient recess. As the vicissitudes of tides are scarcely felt in those seas, the constant depth of the harbour allows goods to be landed on the quays without the assistance of boats; and it has been observed that, in many places, the largest vessels may rest their prows against the houses while their sterns are floating in the water. From the mouth of the Lycus to that of the harbour this arm of the Bosporus is more than seven miles in length.

The entrance is about 500 yards broad, and a strong chain could be occasionally drawn across it to guard the port and city from the attack of an hostile navy.

The Propontis.

§ 5. Between the Bosporus and Hellespont, the shores of Europe and Asia receding on either side enclose the Sea of Marmara, which was known to the ancients by the denomination of Propontis. The navigation from the issue of the Bosporus to the entrance of the Hellespont is about 120 miles. Those who steer their westward course through the middle of the Propontis may at once descry the highlands of Thrace and Bithynia, and never lose sight of the lofty summit of Mount Olympus, covered with eternal snows. They leave on the left a deep gulf, at the bottom of which Nicomedia was seated, the imperial residence of Diocletian; and they pass the small islands of Cyzicus * and Proconnesus before they cast anchor at Gallipoli, where the sea, which separates Asia from Europe, is again contracted into a narrow channel.

The Hellespont.

§ 6. The length of the Hellespont is about 60 miles, its breadth about 3 miles. But the narrowest part of the channel is found to the northward of the old Turkish castles, between the cities of Sestus and Abydus. It was here that the adventurous Leander braved the passage of the flood for the possession of his mistress. It was here likewise that Xerxes imposed a stupendous bridge of boats, for the purpose of transporting into Europe 200 myriads of barbarians.† Ancient Troy, seated on an eminence at the foot of Mount Ida, overlooked the mouth of the Hellespont, which scarcely received an accession of waters from the tribute of those immortal rivulets the Simois and Scamander.

Advantages of Constantinople.

§ 7. We are at present qualified to view the advantageous position of Constantinople, which appears to have been formed by nature for the centre and capital of a great monarchy. Situated in the 41st degree of latitude, the Imperial city commanded, from her seven hills, the opposite shores of Europe and Asia; the climate was healthy and temperate, the soil fertile, the harbour secure and capacious, and the approach on the side of the continent was of small extent and easy defence. The Bosporus and the Hellespont may be considered as the two gates of Constantinople, and the prince who possessed those important passages could always shut them against a naval enemy and open them to the fleets of commerce. The preservation of the eastern provinces may, in some degree, be ascribed to the policy of Constantine, as the barbarians of the Euxine, who in the preceding age had poured their armaments into the heart of the Mediterranean, soon desisted from the exercise of piracy, and despaired of forcing this insurmountable barrier. When the gates of the Hellespont and Bosporus were shut, the

* Cyzicus, once an island, is now a promontory.

† Herodotus (vii. 168) makes the total number of fighting men 2,317,610, with European tribes, 2,641,610. The total number of the army (including crews, camp-followers, etc.) is represented as 5,283,220.

capital still enjoyed within their spacious enclosure every production which could supply the wants or gratify the luxury of its numerous inhabitants. The sea-coasts of Thrace and Bithynia, which languish under the weight of Turkish oppression, still exhibit a rich prospect of vineyards, of gardens, and of plentiful harvests; and the Propontis has ever been renowned for an inexhaustible store of the most exquisite fish, that are taken in their stated seasons, without skill, and almost without labour. But when the passages of the straits were thrown open for trade, they alternately admitted the natural and artificial riches of the north and south, of the Euxine and of the Mediterranean. Whatever rude commodities were collected in the forests of Germany and Scythia, as far as the sources of Tanais and the Borysthenes; whatsoever was manufactured by the skill of Europe or Asia; the corn of Egypt, and the gems and spices of the farthest India, were brought by the varying winds into the port of Constantinople, which, for many ages, attracted the commerce of the ancient world.

Foundation of the city: its extent.

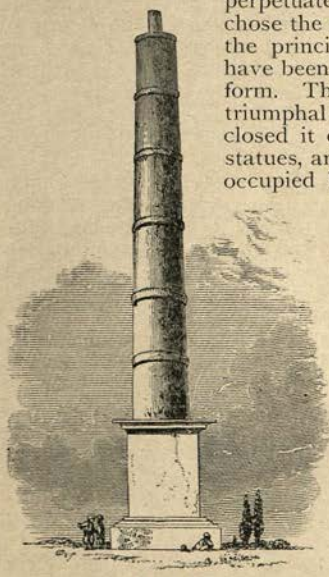
§ 8. The prospect of beauty, of safety, and of wealth, united in a single spot was sufficient to justify the choice of Constantine. But as some decent mixture of prodigy and fable has, in every age, been supposed to reflect a becoming majesty on the origin of great cities, the emperor was careful to instruct posterity that, in obedience to the commands of God, he laid the everlasting foundations of Constantinople. On the day consecrated to the foundation of the city Constantine himself, on foot, with a lance in his hand, led the solemn procession, and directed the line which was traced as the boundary of the destined capital, till the growing circumference was observed with astonishment by the assistants, who, at length, ventured to observe that he had already exceeded the most ample measure of a great city. "*I* shall still advance," replied Constantine, "till HE, the invisible guide who marches before me, thinks proper to stop."

In the actual state of the city, the palace and gardens of the Seraglio occupy the eastern promontory, the first of the seven hills, and cover about 150 acres of our own measure. The seat of Turkish jealousy and despotism is erected on the foundations of a Grecian republic; but it may be supposed that the Byzantines were tempted by the conveniency of the harbour to extend their habitations on that side beyond the modern limits of the Seraglio. The new walls of Constantine stretched from the port to the Propontis across the enlarged breadth of the triangle, at the distance of 15 stadia from the ancient fortification, and with the city of Byzantium they enclosed five of the seven hills, which, to the eyes of those who approach Constantinople, appear to rise above each other in beautiful order. About a century after the death of the founder, the new buildings, extending on one side of the harbour, and on the other along the Propontis, already covered the narrow ridge of the sixth and the broad

summit of the seventh hill. The necessity of protecting those suburbs from the incessant inroads of the barbarians engaged the younger Theodosius to surround his capital with an adequate and permanent enclosure of walls. From the eastern promontory to the golden gate, the extreme length of Constantinople was about three Roman miles, the circumference measured between ten and eleven, and the surface might be computed as equal to about 2000 English acres.

Edifices.

§ 9. During the siege of Byzantium the conqueror had pitched his tent on the commanding eminence of the second hill. To perpetuate the memory of his success, he chose the same advantageous position for the principal Forum, which appears to have been of a circular, or rather elliptical form. The two opposite entrances formed triumphal arches; the porticoes, which enclosed it on every side, were filled with statues, and the centre of the Forum was occupied by a lofty column, of which a mutilated fragment is now degraded by the appellation of the *burnt pillar*. This column was erected on a pedestal of white marble 20 feet high, and was composed of 10 pieces of porphyry, each of which measured about 10 feet in height, and about 33 in circumference. On the summit of the pillar, above 120 feet from the ground, stood the colossal statue of Apollo. It was of bronze, had been transported either from Athens or from a town of Phrygia, and was supposed to be the work of Phidias. The artist had represented the god of day, or, as it was afterwards interpreted, the emperor Constantine himself, with a sceptre in his right hand, the globe of the world in his left, and a crown of rays glittering on his head. The Circus, or Hippodrome, was a stately building about 400 paces in length, and 100 in breadth. The space between the two *metæ* or goals was filled with statues and obelisks; and we may still remark a very singular fragment of antiquity, the bodies of three serpents twisted into one pillar of bronze. Their triple heads had once supported the golden tripod, which, after the defeat of Xerxes, was consecrated in the temple of Delphi by the victorious Greeks. From the throne, whence the emperor viewed the Circensian games, a



Burnt Pillar.

winding staircase descended to the palace; a magnificent edifice, which scarcely yielded to the residence of Rome itself, and which, together with the dependent courts, gardens, and porticoes, covered a considerable extent of ground upon the banks of the Propontis, between the Hippodrome and the church of St. Sophia. But we should deviate from the design of this history if we attempted minutely to describe the different buildings or quarters of the city. It may be sufficient to observe that whatever could adorn the dignity of a great capital, or contribute to the benefit or pleasure of its numerous inhabitants, was contained within the walls of Constantinople. A particular description,* composed about a century after its foundation, enumerates a capitol or school of learning, a circus, 2 theatres, 8 public and 153 private baths, 52 porticoes, 5 granaries, 8 aqueducts or reservoirs of water, 4 spacious halls for the meetings of the senate or courts of justice, 14 churches, 14 palaces, and 4383 houses which, for their size or beauty, deserved to be distinguished from the multitude of plebeian habitations.

Population and privileges; dedication of the city.

§ 10. The populousness of his favoured city was the next and most serious object of the attention of its founder. Many opulent senators of Rome and of the eastern provinces were induced by Constantine to adopt for their country the fortunate spot which he had chosen for his own residence. The most wealthy of the provincials were attracted by the powerful motives of interest and duty, of amusement and curiosity. A third and more numerous class of inhabitants were formed, of servants, of artificers, and of merchants, who derived their subsistence from their own labour, and from the wants or luxury of the superior ranks. In less than a century Constantinople disputed with Rome itself the pre-eminence of riches and numbers.

The frequent and regular distributions of wine and oil, of corn or bread, of money or provisions, had almost exempted the poorer citizens of Rome from the necessity of labour. The magnificence of the first Cæsars was in some measure imitated by the founder of Constantinople, and the annual tribute of corn imposed upon Egypt for the benefit of his new capital was applied to feed a lazy and insolent populace, at the expense of the husbandmen of an industrious province. The emperor divided Constantinople into fourteen regions or quarters, dignified the public council with the appellation of senate,† communicated to the citizens the *Jus Italicum*, which exempted

* *Notitia urbis Constantinopolitanæ* (published by Seeck with the *Notitia Dignitatum*).

† Zosimus (iii. 11) assigns the foundation of the senate of Constantinople to Julian. But it is a matter of little importance whether the municipal council of New Rome was called senate or not by its founder, for the Roman senate was by this time little more than a municipal council. Constantinople had no city præfect until A.D. 359; but this proves nothing, for the Roman senate was at this time presided over by the consuls. See § 12 of this chapter.

them from taxation, and bestowed on the rising city the title of Colony, the first and most favoured daughter of ancient Rome.

The city was dedicated on the 11th of May, A.D. 330. At the festival of the dedication, an edict, engraved on a column of marble, bestowed the title of SECOND or NEW ROME on the city of Constantine. But the name of Constantinople has prevailed over that honourable epithet, and after the revolution of fourteen centuries still perpetuates the fame of its author.

Form of government: three ranks of honour.

§ 11. The foundation of a new capital is naturally connected with the establishment of a new form of civil and military administration. The distinct view of the complicated system of policy introduced by Diocletian, improved by Constantine, and completed by his immediate successors, may not only amuse the fancy by the singular picture of a great empire, but will tend to illustrate the secret and internal causes of its rapid decay. The proper limits of this inquiry will be included within the period of 132 years, from the accession of Constantine to the publication of the Theodosian code (A.D. 306–438); from which, as well as from the *Notitia* of the East and West, we derive the most copious and authentic information of the state of the empire.*

All the magistrates of sufficient importance to find a place in the general state of the empire were divided into three classes—1. The *Illustres*, or *Illustrious;* 2. The *Spectabiles*, or *Respectable;* and 3. The *Clarissimi*, whom we may translate by the word *Honourable.*† The last-mentioned epithet was the title of all who were members of the senate, and consequently of all who, from that venerable body, were selected to govern the provinces. The vanity of those who, from their rank and office, might claim a superior distinction above the rest of the senatorial order, was indulged with the appellation of *Respectable:* but the title of *Illustrious* was always reserved to some eminent personages who were obeyed or reverenced by the two subordinate classes. It was communicated only, I. To the consuls and patricians; II. To the Prætorian præfects, with the præfects of Rome and Constantinople; III. To the masters general of the cavalry and the infantry; and, IV. To the seven ministers of the

* The date of the Notitia is probably between the final division of the empire (A.D. 395) and the successful invasion of Gaul by the barbarians (A.D. 407). It is "an official Directory and Army List of the whole Roman Empire" (Hodgkin, *Italy and her Invaders*, i. c. 12). It has been edited by E. Böcking (Bonn, 1839–1853); the latest text is that of O. Seeck (Berlin, 1876).

† Hodgkin (*Italy and her Invaders*, i. p. 604), comparing the Roman with the English system of administration, suggests that *illustres* are equivalent to our Cabinet Ministers, *spectabiles* to the Heads of department, Lords Lieutenants of counties, Generals and Admirals, *clarissimi* to the Governors of our smaller colonies, Colonels and Captains in the navy.

palace, who exercised their *sacred* functions about the person of the emperor.*

The Consuls and Patricians.

§ 12. As long as the emperors condescended to disguise the servitude which they imposed, the consuls were still elected by the real or apparent suffrage of the senate. From the reign of Diocletian even these vestiges of liberty were abolished, and the consuls were created by the sole authority of the emperor. Their solemn inauguration was performed at the place of the Imperial residence; and their names and portraits, engraved on gilt tablets of ivory, were dispersed over the empire as presents to the provinces, the cities, the magistrates, the senate, and the people.† Their only duty was to celebrate the annual games of the theatre, the circus, and the amphitheatre, upon which the sum of about 72,000*l.* was expended.‡ As soon as the consuls had discharged these customary duties, they were at liberty to retire into the shade of private life. They no longer presided in the national councils; they no longer executed the resolutions of peace or war. Their abilities were of little moment; and their names served only as the legal date of the year in which they had filled the chair of Marius and of Cicero. Yet it was still felt and acknowledged, in the last period of Roman servitude, that this empty name might be compared, and even preferred, to the possession of substantial power. The title of consul was still the most splendid object of ambition, the noblest reward of virtue and loyalty.

Constantine revived the title of PATRICIANS, but he revived it as a personal, not as an hereditary distinction. They yielded

* In the *Notitia Dignitatum* the title *illustris* is borne by the *præfecti prætorio* and *præfecti urbi*, by the *magistri equitum* and *peditum*, and by the *præpositus sacri cubiculi*, the *comes sacrarum largitionum*, the *quæstor sacri palatii*, the *magister officiorum* and the two *comites domesticorum* (*equitum* and *peditum*), the last seven being the "ministers of the palace" mentioned in the text. The evolution of this nomenclature was gradual. *Illustris*, e.g., was not a distinct title under Constantine and his sons (Kuhn, *Verfassung des Römischen Reichs*, i. p. 187).

† A specimen of these tablets or diptychs is given on the following page. It is an ivory diptych of Clementinus, who was consul of the East A.D. 513. He is represented seated on a curule chair between the figures of Rome and Constantinople, holding the map of the Circus, and giving with it the sign for the beginning of the games. Above him are his signet, his name, and title surmounted by a cross, and portraits of the emperor Anastasius and the empress Ariadne. Under him are two boys emptying bags of presents, viz. coins, diptychs, and palm-branches.—See Labarte, *Handbook of the Arts of the Middle Ages*, p. xvii. A list of the known consular diptychs, with the places where they are preserved, is given by Bloch (*s.v.* consul) in Daremberg and Saglio's *Dictionaire des Antiquités grecques et romaines*, p. 1474. The diptychs that can be dated extend from the year 406 to the year 541 A.D.

‡ This is not true of the consulship during the earlier part of this period. The presidency of the senate belonged to the consuls to the time of Justinian, who transferred it to the præfect of the city; and these magistrates continued to exercise so-called voluntary jurisdiction, *i.e.* manumission (*manumissio*) and the granting of guardians (*tutoris datio*),

only to the transient superiority of the annual consuls; but they enjoyed the pre-eminence over all the great officers of state, with the most familiar access to the person of the prince. This honourable rank was bestowed on them for life; and, as they were usually favourites and ministers who had grown old in the Imperial court, the true etymology of the word was perverted by ignorance and flattery; and the Patricians of Constantine were reverenced as the adopted *Fathers* of the emperor and the republic.

The four Prætorian Præfects: the Præfects of Rome and Constantinople.

§ 13. From the reign of Severus to that of Diocletian, the guards and the palace, the laws and the finances, the armies and the provinces, were intrusted to the superintending care of the Prætorian præfects;* and, like the viziers of the East, they held with one hand the seal, and with the other the standard, of the empire. The ambition of the præfects, always formidable and sometimes fatal to the masters whom they served, was supported by the strength of the Prætorian bands; but, after those haughty troops had been weakened by Diocletian and finally suppressed by Constantine, the præfects, who survived their fall, were reduced without difficulty to the station of useful and obedient

* See ch. ii., Appendix, note 2.

ministers. When they were no longer responsible for the safety of the emperor's person, they resigned the jurisdiction which they had hitherto claimed and exercised over all the departments of the palace. They were deprived by Constantine of all military command as soon as they had ceased to lead into the field, under their immediate orders, the flower of the Roman troops; and, at length, by a singular revolution, the captains of the guards were transformed into the civil magistrates of the provinces. According to the plan of government instituted by Diocletian, the four princes had each their Prætorian Præfect; and after the monarchy was once more united in the person of Constantine, he still continued to create the same number of FOUR PRÆFECTS,* and intrusted to their care the same provinces which they already administered. 1. The præfect of the East stretched his ample jurisdiction into the three parts of the globe which were subject to the Romans, from the cataracts

* Occasionally their number was only three, the præfectures of Illyricum and Italy being sometimes, during and after the reign of Julian, united in the same hands. By the final division of the empire under Arcadius and Honorius (395 A.D.) the old division into four was necessarily restored. See Bethmann-Hollweg, *Römische Civilprozess*, iii. p. 47.

of the Nile to the banks of the Phasis, and from the mountains of Thrace to the frontiers of Persia.* 2. The important provinces of Illyricum, Dacia, Macedonia, and Greece, once acknowledged the authority of the præfect of Illyricum.† 3. The power of the præfect of Italy was not confined to the country from whence he derived his title; it extended over the additional territory of Rhætia as far as the banks of the Danube, over the dependent islands of the Mediterranean, and over that part of the continent of Africa which lies between the confines of Cyrene and those of Tingitana.‡ 4. The præfect of the Gauls comprehended under that plural denomination the kindred provinces of Britain and Spain, and his authority was obeyed from the wall of Antoninus to the foot of Mount Atlas.§

To the Prætorian præfects was committed the supreme administration of justice and of the finances. They watched over the conduct of the provincial governors, removed the negligent, and inflicted punishments on the guilty. From all the inferior jurisdictions an appeal in every matter of importance, either civil or criminal, might be brought before the tribunal of the præfect: but *his* sentence was final and absolute; and the emperors themselves refused to admit any complaints against the judgment or the integrity of a magistrate whom they honoured with such unbounded confidence.

From their superior importance and dignity, Rome and Constantinople were alone excepted from the jurisdiction of the Prætorian præfects. The office of Præfect of the city (*Præfectus urbi*) had been instituted by Augustus, and he gradually extended his civil and criminal jurisdiction over the equestrian and noble families of Rome.‖ The prætors, annually created as the judges of law and equity, could not long dispute the possession of the Forum with a vigorous and permanent magistrate who was usually admitted into the confidence of the prince. Their courts were deserted; and their important functions were confined to the expensive obligation of exhibiting games for the amusement of the people. After the office of Roman consuls had been changed into a vain pageant, which was rarely displayed in the capital, the præfects assumed their vacant place in the senate, and were soon acknowledged as the ordinary presidents of that venerable assembly.¶ They received appeals from the distance of one hundred miles; and it was allowed as a principle of jurisprudence that all municipal authority was derived from them alone. About thirty years after the foundation of Constantinople a similar magistrate was

* His capital was generally the imperial residence. He is spoken of as *præsens* or *in comitatu*.

† His capital was at first Sirmium, afterwards Thessalonica.

‡ Milan was the capital of this præfecture.

§ His capital was successively Trèves and Arles.

‖ See Appendix, note 1, on "the *Præfectus urbi*."

¶ See note on § 12.

THE ROMAN EMPIRE
DIVIDED INTO PRAEFECTURES, DIOCESES, AND PROVINCES
AFTER THE TIME OF DIOCLETIAN
Praefecture of Gaul
Praefecture of Italy
Praefecture of Illyricum
Praefecture of the East
Limits of the Dioceses
PONTUS EUXINUS
MARE SICULUM
MARE TYRRHENUM
MARE SARDINICA
MARE CAESARIENSIS
MAURETANIA
TINGITANA
TRIPOLITANA
LIBYA INFERIOR
ARMENIA
SARABIA
DALMATIA
DACIA
ARCTIA
AQUITANIA
TARRACONENSIS
BAETICA
SICILIA
CRETA
PHOENICE
CAPPADOCIA
CARIA
PERSARUM
CASPIUM HYRCANUM

created in that rising metropolis, for the same uses and with the same powers. A perfect equality was established between the dignity of the *two* municipal and that of the *four* Prætorian præfects.

Dioceses of the empire: governors of the provinces.

§ 14. The civil government of the empire was distributed into thirteen great DIOCESES, each of which equalled the just measure of a powerful kingdom. The first of these dioceses was subject to the jurisdiction of the *count* of the East. The place of *Augustal præfect* of Egypt was no longer filled by a Roman knight; but the name was retained. The eleven remaining dioceses—of Asiana, Pontica, and Thrace; of Macedonia, Dacia, and Pannonia, or Western Illyricum; of Italy and Africa; of Gaul, Spain, and Britain—were governed by twelve *vicars* or *vice-præfects*,* whose name sufficiently explains the nature and dependence of their office. The proconsuls of Asia, Achaia, and Africa, were exempt from the jurisdiction of the governors of the dioceses, and were subject only to the emperor himself. They had the title of *Respectable*, and formed an intermediate class between the *Illustrious* Præfects and *Honourable* magistrates of the provinces.†

As the spirit of jealousy and ostentation prevailed in the councils of the emperors, they proceeded with anxious diligence to divide the substance and to multiply the titles of power. The vast countries which the Roman conquerors had united under the same simple form of administration were imperceptibly crumbled into minute fragments, till at length the whole empire was distributed into 116 provinces, each of which supported an expensive and splendid establishment. Of these 3 were governed by *proconsuls*, 37 by *consulars*, 5 by *correctors*, and 71 by *presidents*.‡ They were all (excepting only the proconsuls) alike included in the class of *honourable* persons; and they were alike intrusted, during the pleasure of the prince, and under the authority of the præfects or their deputies, with the administration of justice and the finances in their respective districts.

The profession of the law.

§ 15. All the civil magistrates were drawn from the profession of the law. The celebrated Institutes of Justinian are addressed to the youth of his dominions who had devoted themselves to the study of Roman jurisprudence; and the sovereign condescends to animate their diligence by the assurance that their skill and ability would in time be rewarded by an adequate share in the government of the republic. The rudiments of

* The number of twelve varies, because in Italy there was also the vicar of Rome (*vicarius præfectorum prætorio in urbe Roma*, Marquardt, *Staatsverwaltung*, i. p. 232), who had jurisdiction over the ten southern provinces of Italy.

† The præfectures were governed by *illustres* præfecti prætorio, the dioceses by *spectabiles* vicarii, the provinces by *clarissimi* consulares or correctores or *perfectissimi* præsides. The proconsuls of the three provinces had, however, the rank of *spectabiles*.

‡ The generic name for the governor of a province was *rector*.

this lucrative science were taught in all the considerable cities of the East and West; but the most famous school was that of Berytus, on the coast of Phœnicia, which flourished above three centuries from the time of Severus Alexander, the author perhaps of an institution so advantageous to his native country. After a regular course of education, which lasted five years, the students dispersed themselves through the provinces in search of fortune and honours; nor could they want an inexhaustible supply of business in a great empire already corrupted by the multiplicity of laws, of arts, and of vices. The court of the Prætorian præfect of the East could alone furnish employment for 150 advocates, 64 of whom were distinguished by peculiar privileges, and two were annually chosen with a salary of sixty pounds of gold to defend the causes of the treasury. The first experiment was made of their judicial talents by appointing them to act occasionally as assessors to the magistrates; from thence they were often raised to preside in the tribunals before which they had pleaded. They obtained the government of a province; and, by the aid of merit, of reputation, or of favour, they ascended, by successive steps, to the *illustrious* dignities of the state.

The military officers.

§ 16. In the system of policy introduced by Augustus, the governors, those at least of the Imperial provinces, were invested with the full powers of the sovereign himself. They successively appeared on their tribunal in the robes of civil magistracy, and in complete armour at the head of the Roman legions. The influence of the revenue, the authority of law, and the command of a military force, concurred to render their power supreme and absolute; and whenever they were tempted to violate their allegiance, the loyal province which they involved in their rebellion was scarcely sensible of any change in its political state. From the time of Commodus to the reign of Constantine near one hundred governors might be enumerated, who, with various success, erected the standard of revolt. To secure his throne and the public tranquillity from these formidable servants, Constantine resolved to divide the military from the civil administration, and to establish, as a permanent and professional distinction, a practice which had been adopted only as an occasional expedient. The supreme jurisdiction exercised by the Prætorian præfects over the armies of the empire was transferred to the two *masters general* whom he instituted, the one for the *cavalry*, the other for the *infantry;* and though each of these *illustrious* officers was more peculiarly responsible for the discipline of those troops which were under his immediate inspection, they both indifferently commanded in the field the several bodies, whether of horse or foot, which were united in the same army.* Their number was soon doubled by the division of the East and West; and as

* The two posts were not unfrequently united in the same commander, who bore the title *magister utriusque militiæ*.

separate generals of the same rank and title were appointed on the four important frontiers of the Rhine, of the Upper and Lower Danube, and of the Euphrates, the defence of the Roman empire was at length committed to eight masters general of the cavalry and infantry.* Under their orders, thirty-five military commanders were stationed in the provinces : three in Britain, six in Gaul, one in Spain, one in Italy, five on the Upper and four on the Lower Danube, in Asia eight, three in Egypt, and four in Africa. The titles of *counts* and *dukes*, by which they were properly distinguished, have obtained in modern languages so very different a sense, that the use of them may occasion some surprise. But it should be recollected that the second of those appellations is only a corruption of the Latin word which was indiscriminately applied to any military chief. All these provincial generals were therefore *dukes;* but no more than ten among them were dignified with the rank of *counts* or companions, a title of honour, or rather of favour, which had been recently invented in the court of Constantine.† The *dukes* as well as *counts* were allowed the title of *Respectable.* They were strictly prohibited from interfering in any matter which related to the administration of justice or the revenue ; but the command which they exercised over the troops of their department was independent of the authority of the magistrates. The nice balance which Constantine instituted between the civil and the military powers, was productive of beneficial and of pernicious consequences. It was seldom to be expected that the general and the civil governor of a province should either conspire for the disturbance, or should unite for the service, of their country. While the one delayed to offer the assistance which the other disdained to solicit, the troops very frequently remained without orders or without supplies, and the defenceless subjects were left exposed to the fury of the barbarians. The divided administration, which had been formed by Constantine, relaxed the vigour of the state, while it secured the tranquillity of the monarch.

§ 17. The same timid policy, of dividing whatever is united, of reducing whatever is eminent, of dreading every active

Reduction of the size of the legions.

* The *Notitia Dignitatum* shows five in the East (two at court called *præsentales*, and three in Oriens, Thrace, and Illyricum) and three in the West (two *præsentales*, and one in Gaul).

† The invention consisted in the new application of a much older term. The *comites* of the early Empire had formed the retinue which the emperor chose to accompany him when he crossed the seas *reipublicæ causa*. They were apparently all of senatorial rank and were used as delegates both for general purposes of administration and for command in the army (Mommsen, *Staatsrecht*, ii. p. 835; Karlowa, *Römische Rechtsgeschichte*, i. p. 512). Even in the later Empire the title often conferred a merely honorary rank. For the various classes of *comites* see Kuhn, *Verfassung des Römischen Reichs*, i. p. 195.

power, and of expecting that the most feeble will prove the most obedient, seems to pervade the institutions of several princes, and particularly those of Constantine. The martial pride of the legions, whose victorious camps had so often been the scene of rebellion, was nourished by the memory of their past exploits, and the consciousness of their actual strength. As long as they maintained their ancient establishment of 6000 men, they subsisted, under the reign of Diocletian, each of them singly, a visible and important object in the military history of the Roman Empire. A few years afterwards these gigantic bodies were shrunk to a very diminutive size, and consisted only of 1000 or 1500 men.* The conspiracy of so many separate detachments, each of which was awed by the sense of its own weakness, could easily be checked; and the successors of Constantine might indulge their love of ostentation, by issuing their orders to 132 legions, inscribed on the muster-roll of their numerous armies. The number of permanent stations or garrisons established on the frontiers of the empire amounted to 583; and under the successors of Constantine, the complete force of the military establishment was computed at 645,000 soldiers.

Seven ministers of the palace.

§ 18. Besides the magistrates and generals, who at a distance from the court diffused their delegated authority over the provinces and armies, the emperor conferred the rank of *Illustrious* on seven of his more immediate servants, to whose fidelity he intrusted his safety, or his counsels, or his treasures. 1. The private apartments of the palace were governed by a favourite eunuch, who, in the language of that age, was styled the *præpositus*, or præfect of the sacred bed-chamber.† His duty was to attend the emperor in his hours of state or in those of amusement, and to perform about his person all those menial services which can only derive their splendour from the influence of royalty. 2. The principal administration of public affairs was committed to the diligence and abilities of the *master of the offices*.‡ He was the supreme magistrate of the palace, inspected the discipline of the civil and military *schools* (*scholæ*), and received appeals from all parts of the empire, in the causes which related to that numerous army of privileged persons who, as the servants of the court, had obtained for themselves and families a right to decline the authority of the ordinary judges. The correspondence between the prince and his subjects was managed by the four *scrinia*, or offices of this minister of state. 3. The Imperial *quæstor*§ was considered as the representative of the legislative power,

* Thus Zosimus (v. 45) gives on one occasion 6000 men as the strength of five legions. The evidence on this point is discussed by Kuhn, *op cit.*, i. p. 140.

† *Præpositus sacri cubiculi.*

‡ *Magister officiorum.*

§ *Quæstor sacri palatii.*

and the original source of the civil jurisprudence. He composed the orations of the emperor, which acquired the force, and at length the form, of absolute edicts, and his leisure and talents were employed to cultivate that dignified style of eloquence which, in the corruption of taste and language, still preserves the majesty of the Roman laws.* In some respects the office of the Imperial quæstor may be compared with that of a modern chancellor; but the use of a great seal, which seems to have been adopted by the illiterate barbarians, was never introduced to attest the public acts of the emperors. 4. The extraordinary title of *count of the sacred largesses*† was bestowed on the treasurer-general of the revenue, with the intention perhaps of inculcating that every payment flowed from the voluntary bounty of the monarch. 5. Besides the public revenue, which an absolute monarch might levy and expend according to his pleasure, the emperors, in the capacity of opulent citizens, possessed a very extensive property, which was administered by the *count* or treasurer of *the private estate*.‡ Some part had perhaps been the ancient demesnes of kings and republics: some accessions might be derived from the families which were successively invested with the purple; but the most considerable portion flowed from the impure source of confiscations and forfeitures. 6, 7. The chosen bands of cavalry and infantry, which guarded the person of the emperor, were under the immediate command of the *two counts of the domestics*.§ The whole number consisted of 3500 men, divided into seven *schools*, or troops, of 500 each; and in the East this honourable service was almost entirely appropriated to the Armenians.‖ The counts of the domestics had succeeded to the office of the Prætorian præfects; like the præfects, they aspired from the service of the palace to the command of armies.

Agents or official spies.

§ 19. The perpetual intercourse between the court and the provinces was facilitated by the construction of roads and the institution of posts. But these beneficial establishments were accidentally connected with a pernicious and intolerable abuse. Two or three hundred *agents*¶ or messengers were employed, under the jurisdiction of the master of the offices, to announce

* A very different and far juster estimate of the literary value of the imperial edicts is formed by Muirhead (*History of Roman Law*, p. 380). "In style the edicts compare very unfavourably with the senatusconsults and rescripts of the second and third century, being uniformly verbose and in many cases obscure."

† *Comes sacrarum largitionum.*

‡ *Comes rerum privatarum.*

§ *Comites domesticorum.*

‖ The *scholares* (whose origin dates from the third century) replaced the prætorian guards. The *domestici* and *protectores* (also divided into *scholæ*) formed a more select body-guard. See Kuhn, *Verfassung des Römischen Reichs*, i. pp. 140–142.

¶ *Agentes in rebus.*

the names of the annual consuls, and the edicts or victories of the emperors. They insensibly assumed the licence of reporting whatever they could observe of the conduct either of magistrates or of private citizens; and were soon considered as the eyes of the monarch and the scourge of the people. Under the warm influence of a feeble reign they multiplied to the incredible number of 10,000, and exercised in the profitable management of the posts a rapacious and insolent oppression. These official spies, who regularly corresponded with the palace, were encouraged, by favour and reward, anxiously to watch the progress of every treasonable design, from the faint and latent symptoms of disaffection, to the actual preparation of an open revolt. Their careless or criminal violation of truth and justice was covered by the consecrated mask of zeal; and they might securely aim their poisoned arrows at the breast either of the guilty or the innocent, who had provoked their resentment, or refused to purchase their silence. A faithful subject, of Syria perhaps, or of Britain, was exposed to the danger, or at least to the dread, of being dragged in chains to the court of Milan or Constantinople, to defend his life and fortune against the malicious charge of these privileged informers. The ordinary administration was conducted by those methods which extreme necessity can alone palliate; and the defects of evidence were diligently supplied by the use of torture.*

Taxation.

§ 20. These evils, however terrible they may appear, were confined to the smaller number of Roman subjects whose dangerous situation was in some degree compensated by the enjoyment of those advantages, either of nature or of fortune, which exposed them to the jealousy of the monarch. The obscure millions of a great empire have much less to dread from the cruelty than from the avarice of their masters; and *their* humble happiness is principally affected by the grievance of excessive taxes, which, gently pressing on the wealthy, descend with accelerated weight on the meaner and more indigent classes of society. Without abolishing all the various customs and duties on merchandises, which are imperceptibly discharged by the apparent choice of the purchaser, the policy of Constantine and his successors preferred a simple and direct mode of taxation, more congenial to the spirit of an arbitrary government. The chief source of revenue was the land-tax. An accurate *census* or register of the whole landed property of the empire was taken every fifteen years. The land was measured and divided into a certain number of pieces, each of which had to pay the same sum of money as a tax. Such a piece of land was called *jugum* or *caput*, whence the tax was named *capitatio*. Since each *caput* was of the same value, and paid the same tax, its size must of course

* The torture of citizens, unknown to early Roman procedure, came gradually during the empire to be permitted in cases of treason (Rein, *Criminalrecht der Römer*, p. 542).

have varied according to the value of the land composing it.* In the middle ages the registers of the land were called *capitastra*, because they contained lists of the *capita;* and hence the word *catastrum*, which continues in use on the Continent down to the present day. For each financial year, which commenced on the 1st of September, the whole amount of the land-tax was fixed, and was then divided among the capita. The payment had to be made in three instalments—on the 1st of January, the 1st of May, and on the 1st of September. The tribute appointed for each year was called *Indiction*, a term which was also applied to the financial year.† The second most important tribute was the poll-tax, which was also called *capitatio*,‡ to which all persons were liable who were not assessed to the land-tax. Consequently the poll-tax was a kind of supplement to the land-tax, and was intended as a direct tax upon those persons who would otherwise have escaped direct taxation, because they possessed no landed property.

The burthen of taxation fell with the greatest severity upon the *Decuriones*, or the members of the senate in the municipal towns. In the times of the republic admission into the Ordo Decurionum was considered an honour; but under the despotism of the empire the position of the Decurions was most lamentable.§ The plebeians carefully avoided this dangerous distinction, and the Decurions themselves sought to escape from it in every possible way. Their miserable condition arose from the oppression of the government. For the Decurions had not only to collect the taxes, but they were responsible for their colleagues; they were required to take up the lands abandoned by the proprietors on account of the intolerable weight of

* For these variations of the *jugum* see Willems, *Le droit public romain*, p. 596. This land-tax (*capitatio terrena*) was paid sometimes in money (*præstatio auraria*), sometimes in kind (*species annonaria*), the latter supplies going chiefly for the support of the troops (Kuhn, *Verfassung des Römischen Reichs*, i. p. 222).

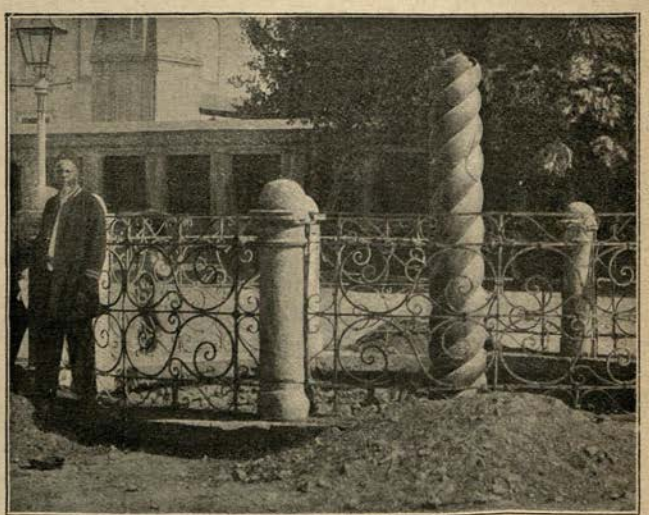
† This *indiction* of fifteen years began in Egypt, and was afterwards employed in other parts of the empire. As a chronological era the so-called indiction of Constantine begins September 1, A.D. 312. From this date successive periods of fifteen years are reckoned. Originally each separate year, and not the period of fifteen years, was called an indiction; and there were no means of discriminating which of those periods of fifteen years was meant. Thus, when the seventh indiction occurs in a document, this document belongs to the seventh year of one of those periods of fifteen years, but to which of them is uncertain. This continued to be the usage of the word till the twelfth century, when it became the practice to call the period of fifteen years the indiction, and to reckon from the birth of Christ the number of indictions, that is, periods of fifteen years. An event was then said to take place in a particular year of a particular indiction; for example, Indictionis LXXIX. anno V. See Schill on *Indictio* in Kraus, *Real-Encyklopädie der Christlichen Alterthümer*, ii. p. 32.

‡ *Capitatio plebeia.*

§ See Appendix, note 2, on "The Decurionate in the later Empire."

imposts; and they had finally to make up all deficiencies in the revenues out of their own private resources.

[Naudet, *Des changements operés dans toutes les parties de l'administration de l'empire romain sous le règne de Dioclétien, Constantin et de leurs successeurs jusqu' à Julien*; Kuhn, *Verfassung des Römischen Reichs*; Mispoulet, *Les institutions politiques des Romains*; Karlowa, *Römische Rechtsgeschichte*; Willems, *Le droit public romain*; Bethmann-Hollweg, *Civilprozess des Gemeinen Rechts*, III.; Lécrivain, *Le Sénat romain depuis Dioclétien*; Böcking, *Notitia Dignitatum*; Seeck, *Notitia Dignitatum* and *Quæstiones de Notitia Dignitatum*; Hodgkin, *Italy and her Invaders*, vol. i. c. 12; Schiller, *Geschichte der Römischen Kaiserzeit*, III. i.; Finlay, *History of Greece*, ch. ii. §§ 1–7; on the army, Mommsen, *Das römische Militarwesen seit Diocletian*, in *Hermes*, vol. xxiv. p. 195, ff. (1889).]



Serpentine Pillar at Constantinople (see p. 155).

# APPENDIX.

## NOTE 1 (§ 13).—"THE *PRÆFECTUS URBI*."

The præfecture of the city, as it existed under the empire, can claim a continuity, in name at least, with one of the oldest offices in Rome. The original *præfectus urbi* had been an *alter ego* of the king, nominated by him for the performance of every kind of civil function while the monarch was absent in the field. The birth of the Republic did not lessen the necessity for the existence of such a delegate; the two consuls were often co-operating in military enterprises at a distance from Rome, and in such cases it was the duty of one of them to nominate a delegate who should represent them in the city. The creation, in 367 B.C., of a third magistrate with *imperium*, the prætor, first rendered it possible to dispense with this institution. On one occasion alone was the regular præfecture still resorted to. This was the Latin Festival, which, lasting several days and requiring the attendance of all the higher Roman officials, left the state denuded of magistrates. This *præfectus urbi feriarum Latinarum* continued to exist even under the empire, and may be regarded as the last shadowy survival of the Monarchical and Republican office (cf. Tacitus, *Annals*, vi. 11, "duratque simulacrum, quotiens ob ferias Latinas præficitur qui consulare munus usurpet").

But yet the new and finally permanent office, which was created by the Principate and bore this name, may be regarded as, in some sort, a continuation of the Republican magistracy. It was suggested by it, and was called into existence by the same necessities. The Dictator Cæsar had, in 45 B.C., left six *præfecti* in Rome to administer the affairs of the city during his absence (Suetonius, *Julius*, 76; "præfectos pro prætoribus constituit, qui absente se res urbanas administrarent;" cf. Dio Cassius, xliii. 28), and Mæcenas had held a similar, though less formal, position under Augustus (Tacitus, *Annals*, vi. 11). But the præfecture was first revived by this emperor as a definite office during his absence from Rome between the years 27 and 24 B.C. It still for a time retained its old character of an office to which power was delegated by an absent superior; it was Tiberius' prolonged residence at a distance from the capital that first gave it a permanent character; henceforth the præfect performed his functions even when the emperor was present in the city.

These functions were concerned chiefly with the police control of the capital. With this was connected a summary criminal jurisdiction and a limited control of civil justice; neither of which was, however, supposed to supplant the jurisdiction of the ordinary courts. But the tendencies which made the authority of the Imperial delegates replace that of the organised Republican machinery, were as irresistible in this case as in that of the *præfectus prætorio* (see p. 39). By the third century the *præfectus urbi* had become the highest criminal judge in the city of Rome and within an area of 100 miles, while the appeals in civil cases tried in the capital were delegated by the emperor to him.

In the new empire, established by Diocletian and elaborated by his successors, the præfect has a still more distinguished place. Each capital possesses a *vir illustris præfectus urbi*. He is the chief court of first instance and *the* court of appeal in matters civil and criminal, the limit of his jurisdiction in Rome being still the radius of 100 miles, and he still retains the police supervision which he had possessed in the early empire; but he is, besides, the highest magistrate of the town, all the chief administrative functionaries of which are subordinate to him. This position brings him into close contact with the senate, which is now more than ever a municipal

council; he keeps the emperor informed of the deliberations of this body, as a member he takes rank even above the *consulares*, and, from the time of Justinian, he is its president (Mommsen, *Staatsrecht*, i. pp. 663-674; ii. pp. 1059-1068; Willems, *le droit public Romain*, p. 564, ff.).

NOTE 2 (§ 20).—"THE DECURIONATE OF THE LATER EMPIRE."

The change in the condition of the members of the senate (*decuriones*) of the municipal towns, which we are able to trace from the evidence of inscriptions, the Digest and the Codes, is one of the most striking evidences of the growing weakness of the Roman Empire and of the evil effects of the system of over-centralisation which was adopted in the vain hope of giving it new strength. The change may be best illustrated by glancing at three characteristics of the office: (i.) the mode of appointment; (ii.) the qualifications necessary for the post; (iii.) the incidence of State-burdens (*munera*) on its members.

(i.) In the early Principate the principle of admission to the *honor* of the decurionate is that recognised at Rome. The magistracy is a stepping-stone to the Senate: and the popular assembly still has the choice of magistrates. No class as such is excluded from the magistracy, and there is, therefore, no "order" in the state which must regard the decurionate as its special privilege or its special duty. In the Digest, which represents the law of what we may call the Middle Empire, the principle of admission is, on the whole, the same, although the qualification for the office had wholly altered. But there is a remarkable development of the new principle of *adlectio*, or the admission of persons not legally qualified, which shows a great anxiety to keep up the maximum numbers of the order. This admission is made by the board itself, not by a magistrate, and heralds the change, effected in the Later Empire, by which the order of *decuriones* recruits its own strength from qualified persons who are bound to this service. The popular assemblies (*comitia*) had vanished, and admission to the decurionate had become wholly dissociated from appointment to the magistracy.

(ii.) This fact introduces us to a complete change in the qualification for the office. In the early Principate admission to the *curia* is based on the previous possession of a magistracy, and to the magistracies all the citizens of a municipal town were eligible who were not disqualified on moral or particular social grounds (Greenidge, *Infamia in Roman Law*, p. 194). As late as the time of Antoninus Pius, the ædileship is the stepping-stone to the local senate; but not very long after, perhaps in the time of the jurist Paulus (*circa*, 200 A.D.), the great change had occurred which completely reversed the relations of the decurionate to the magistracy. The principle of the Digest is that no one but a *decurio* might hold the duumvirate or any other *honor*. The magistracy is absorbed in the senate, and there is no longer any sharp distinction between *magistratus municipalis* and *decurio*. A definite grade of municipal nobility has been evolved, sharply severed from the *plebs*: even in the time of Trajan it had been considered natural that the sons of *honesti homines* should be admitted by preference into the order [Pliny, *Epistulæ ad Trajanum*, 89 (83)]; and the dark days of the empire made it all the more necessary that responsible and wealthy men should fill this post. Hence we are not surprised to find that under the Christian emperors the office is a hereditary burden, and such a burden that men fly to caves, deserts, and monasteries to escape it. Unity of responsibility is the keynote of the Roman Empire, and in municipal matters this unity is found in the *curia*.

(iii.) The merging of the magistracy in the decurionate and the gradual devolution of what were really Imperial duties on the municipal towns, caused the burdens of public life (*munera*) to fall almost exclusively on the shoulders of the unhappy *curiales*. The collection of the taxes, for the

presentation of which the order was responsible, was the greatest of Imperial burdens; others were the public post (*cursus publicus*) and transport service. But the local duties—the expenses of an embassy, the distribution of corn, the heating of the public baths—were almost equally oppressive. To belong to the local caste was to be slowly ruined, and, so sharply were the social grades defined in the later empire, that it was not easy to recruit the dwindling order. The 600 senators of Antioch had, by the time of Julian, sunk to 60, and, in the smaller town of Alexandria, in Cilicia, one unfortunate man was left as the sole relic of the corporation until fourteen more were dragged from hiding to share its burdens with him.

[Kuhn, *Verfassung des Römischen Reichs*, I. iv. pp. 227, ff.]

Constantine and Fausta (from a sardonyx in the Museum at St. Petersburg).

## CHAPTER XI.

### SOLE REIGN OF CONSTANTINE AND REIGNS OF HIS SONS.

§ 1. Family of Constantine. § 2. Death of Crispus. § 3. Death of Fausta. § 4. Elevation of the sons and nephews of Constantine. § 5. The Gothic war: the Sarmatians receive settlements in the empire. § 6. Death of Constantine, and massacre of his family. § 7. Division of the empire between the three sons of Constantine. § 8. The Persian war. § 9. Civil war and death of Constantine. § 10. Murder of Constans. § 11. Magnentius and Vetranio assume the purple. § 12. Constantius deposes Vetranio. § 13. Makes war against Magnentius: death of Magnentius. § 14. Power of the eunuchs. § 15. Gallus declared Cæsar: his cruelty and death. § 16. Escape of Julian: he is declared Cæsar. § 17. Constantius visits Rome. § 18. Wars with the Quadi and Sarmatians. § 19. Renewal of the Persian war. § 20. Campaigns of Julian in Gaul. § 21. Julian proclaimed Augustus. § 22. Preparations for civil war: death of Constantius, and undisputed accession of Julian. § 23. The Council of Nicæa: Constantine persecutes first the Arians, and afterwards the orthodox party. § 24. Persecution of the orthodox by Constantius: history of Athanasius.

Family of Constantine.

§ 1. THE same fortune which so invariably followed the standard of Constantine seemed to secure the hopes and comforts of his domestic life. The emperor had been twice married. Minervina, his first wife, had left him only one son, who was called Crispus. By Fausta, the daughter of Maximian, he had three daughters, and three sons known by the kindred names of Constantine, Constantius, and Constans. The unambitious brothers of the great Constantine, Julius Constantius, Dalmatius,

and Hannibalianus, were permitted to enjoy the most honourable rank and the most affluent fortune that could be consistent with a private station. The youngest of the three lived without a name and died without posterity. His two elder brothers obtained in marriage the daughters of wealthy senators, and propagated new branches of the Imperial race. Gallus and Julian afterwards became the most illustrious of the children of Julius Constantius, the *Patrician*. The two sons of Dalmatius, who had been decorated with the vain title of *Censor*,* were named Dalmatius and Hannibalianus. The two sisters of the great Constantine, Anastasia and Eutropia, were bestowed on Optatus and Nepotianus, two senators of noble birth and of consular dignity. His third sister, Constantia, was distinguished by her pre-eminence of greatness and of misery. She remained the widow of the vanquished Licinius; and it was by her entreaties that an innocent boy, the offspring of their marriage, preserved, for some time, his life, the title of Cæsar, and a precarious hope of the succession. Besides the females and the allies of the Flavian house, ten or twelve males, to whom the language of modern courts would apply the title of princes of the blood, seemed, according to the order of their birth, to be destined either to inherit or to support the throne of Constantine. But in less than 30 years this numerous and increasing family was reduced to the persons of Constantius and Julian, who alone had survived a series of crimes and calamities such as the tragic poets have deplored in the devoted lines of Pelops and of Cadmus.

§ 2. Crispus, the eldest son of Constantine, and the presumptive heir of the empire, is represented by impartial historians as an amiable and accomplished youth. The care of his education, or at least of his studies, was intrusted to Lactantius, the most eloquent of the Christians; a preceptor admirably qualified to form the taste and to excite the virtues of his illustrious disciple. At the age of seventeen Crispus was invested with the title of Cæsar, and the administration of the Gallic provinces, where the inroads of the Germans gave him an early occasion of signalising his military prowess. In the civil war which broke out soon afterwards he displayed his valour in forcing the straits of the Hellespont, so obstinately defended by the superior fleet of Licinius. The public favour, which seldom accompanies old age, diffused its lustre over the youth of Crispus. He deserved the esteem and he engaged the affections of the court, the army, and the people. Constantine became jealous of his eldest son, and kept him almost a prisoner in his court, exposed, without power or defence, to every calumny which the malice of his enemies could suggest. Under such painful circumstances the royal youth might not always be able to compose his behaviour or suppress his discontent; and

Death of Crispus.

* The office of *censor* no longer existed. The gift of the title by Constantine to his brother Dalmatius was a pure form.

we may be assured that he was encompassed by a train of indiscreet or perfidious followers, who assiduously studied to inflame, and who were perhaps instructed to betray, the unguarded warmth of his resentment. In A.D. 326 Constantine removed from Nicomedia to Rome, in order to celebrate the august ceremony of the twentieth year of his reign. In the midst of the festival the unfortunate Crispus was apprehended by order of the emperor, who laid aside the tenderness of a father without assuming the equity of a judge. The examination was short and private; and as it was thought decent to conceal the fate of the young prince from the eyes of the Roman people, he was sent under a strong guard to Pola, in Istria, where, soon afterwards, he was put to death, either by the hand of the executioner or by the more gentle operation of poison. The Cæsar Licinianus, a youth of amiable manners, was involved in the ruin of Crispus, and the stern jealousy of Constantine was unmoved by the prayers and tears of his favourite sister, pleading for the life of a son whose rank was his only crime, and whose loss she did not long survive. The story of these unhappy princes, the nature and evidence of their guilt, the forms of their trial, and the circumstances of their death, were buried in mysterious obscurity.

Death of Fausta.

§ 3. Some ancient writers ascribe the misfortunes of Crispus to the arts of his stepmother Fausta, whose implacable hatred or whose disappointed love renewed in the palace of Constantine the ancient tragedy of Hippolytus and of Phædra. Like the daughter of Minos, the daughter of Maximian accused her son-in-law of an incestuous attempt on the chastity of his father's wife, and easily obtained, from the jealousy of the emperor, a sentence of death against a young prince whom she considered with reason as the most formidable rival of her own children. But Helena, the aged mother of Constantine, lamented and revenged the untimely fate of her grandson Crispus; nor was it long before a real or pretended discovery was made that Fausta herself entertained a criminal connection with a slave belonging to the Imperial stables. Her condemnation and punishment were the instant consequences of the charge, and the adulteress was suffocated by the steam of a bath, which, for that purpose, had been heated to an extraordinary degree. By some it will perhaps be thought that the remembrance of a conjugal union of 20 years, and the honour of their common offspring, the destined heirs of the throne, might have softened the obdurate heart of Constantine, and persuaded him to suffer his wife, however guilty she might appear, to expiate her offences in a solitary prison.

Elevation of the sons and nephews of Constantine.

§ 4. By the death of Crispus the inheritance of the empire seemed to devolve on the three sons of Fausta, who have been already mentioned under the names of Constantine, of Constantius, and of Constans. These young princes were successively invested with the title of Cæsar. This conduct, though it tended

to multiply the future masters of the Roman world, might be excused by the partiality of paternal affection; but it is not so easy to understand the motives of the emperor, when he endangered the safety both of his family and of his people by the unnecessary elevation of his two nephews, Dalmatius and Hannibalianus. The former was raised, by the title of Cæsar, to an equality with his cousins. In favour of the latter, Constantine invented the new and singular appellation of *Nobilissimus*.* He intrusted these princes with the government of provinces; but he always reserved for himself the title of Augustus; and while he showed the *Cæsars* to the armies and provinces, he maintained every part of the empire in equal obedience to its supreme head. The tranquillity of the last fourteen years of his reign was scarcely interrupted by the active part which policy engaged him to assume in the wars of the Goths and Sarmatians.

The Gothic war: the Sarmatians receive settlements in the empire.

§ 5. The Sarmatians, who are first mentioned by Herodotus under the name of Sauromatæ,† spread themselves over the immense plains which lie between the Vistula and the Don. Soon after the reign of Augustus they obliged the Dacians, who subsisted by fishing on the banks of the river Theiss or Tibiscus, to retire into the hilly country, and to abandon to the victorious Sarmatians the fertile plains of the Upper Hungary, which are bounded by the course of the Danube and the semicircular enclosure of the Carpathian mountains. They lived under the irregular aristocracy of their chieftains; but after they had received into their bosom the fugitive Vandals, who yielded to the pressure of the Gothic power, they seem to have chosen a king from that nation, and from the illustrious race of the Astingi. This motive of enmity must have inflamed the subjects of contention which perpetually arise on the confines of warlike and independent nations. The Vandal princes were stimulated by fear and revenge; the Gothic kings aspired to extend their dominion from the Euxine to the frontiers of Germany; and the waters of the Maros, a small river which falls into the Theiss, were stained with the blood of the contending barbarians. After some experience of the superior strength and numbers of their adversaries, the Sarmatians implored the protection of the Roman monarch, who beheld with pleasure the discord of the nations, but who was justly alarmed by the progress of the Gothic arms. As soon as Constantine had declared himself in favour of the weaker party, the haughty Araric, king of the Goths, instead of expecting the attack of the legions, boldly passed the Danube, and spread terror and devastation through the province of Mœsia. To

* Subsequently all the members of the Imperial family bear the title *nobilissimus* (Zosimus, ii. 39; *Codex Theodosianus*, 13, 1, 21; Willems, *Le droit public romain;* p. 543). Hannibalianus also became king of Pontus and Armenia with the title of *rex regum* (*Excerpta Valesiana*, 35; Schiller, *Geschichte*, ii. p. 236).

† See Appendix to ch. v.

oppose the inroad of this destroying host the aged emperor took the field in person; he gained a great victory over the Goths, and compelled them to recross the Danube (A.D. 332).

The Sarmatians soon forgot, with the levity of barbarians, the services which they had so lately received, and the dangers which still threatened their safety. Their inroads on the territory of the empire provoked the indignation of Constantine to leave them to their fate; and he no longer opposed the ambition of Geberic, a renowned warrior, who had recently ascended the Gothic throne. Wisumar, the Vandal king, whilst alone and unassisted he defended his dominions with undaunted courage, was vanquished and slain in a decisive battle which swept away the flower of the Sarmatian youth. The remainder of the nation embraced the desperate expedient of arming their slaves, a hardy race of hunters and herdsmen, by whose tumultuary aid they revenged their defeat, and expelled the invader from their confines. But they soon discovered that they had exchanged a foreign for a domestic enemy, more dangerous and more implacable. Enraged by their former servitude, elated by their present glory, the slaves, under the name of Limigantes, claimed and usurped the possession of the country which they had saved. Their masters, unable to withstand the ungoverned fury of the populace, preferred the hardships of exile to the tyranny of their servants. The greater part of the distressed nation implored the protection and forgiveness of the emperor, and solemnly promised the most inviolable fidelity to the empire which should graciously receive them into its bosom. According to the maxims adopted by Probus and his successors, the offers of this barbarian colony were eagerly accepted; and a competent portion of lands in the provinces of Pannonia, Thrace, Macedonia, and Italy, was immediately assigned for the habitation and subsistence of 300,000 Sarmatians (A.D. 334).

Death of Constantine, and massacre of his family.

§ 6. In A.D. 335 Constantine completed the thirtieth year of his reign: a period which none of his predecessors, since Augustus, had been permitted to celebrate. In the second year after that solemn festival, Constantine, at the mature age of sixty-four, after a short illness, ended his memorable life at a palace in the suburbs of Nicomedia, whither he had retired for the benefit of the air, and with the hope of recruiting his exhausted strength by the use of the warm baths (May 22, A.D. 337). His death was followed by a conspiracy to exclude his two nephews, Dalmatius and Hannibalianus, from the share which he had assigned them in the succession of the empire. The intrigue was conducted with zeal and secrecy, till a loud and unanimous declaration was procured from the troops that they would suffer none except the sons of their lamented monarch to reign over the Roman empire.

The voice of the dying emperor had recommended the care of his funeral to the piety of Constantius, the second, and perhaps the most favoured of his sons; and that prince, by the

vicinity of his eastern station, could easily anticipate the diligence of his brothers, who resided in their distant governments of Italy and Gaul. Upon the arrival of Constantius in the capital, he gave his consent to a promiscuous massacre, which involved his two uncles, seven of his cousins, of whom Dalmatius and Hannibalianus were the most illustrious, the patrician Optatus, who had married a sister of the late emperor, and the præfect, Ablavius,* whose power and riches had inspired him with some hopes of obtaining the purple. Of so numerous a family, Gallus and Julian alone, the two youngest children of Julius Constantius,† were saved from the hands of the assassins, till their rage, satiated with slaughter, had in some measure subsided. The emperor Constantius, who, in the absence of his brothers, was the most obnoxious to guilt and reproach, discovered, on some future occasions, a faint and transient remorse for those cruelties which the perfidious counsels of his ministers, and the irresistible violence of the troops, had extorted from his inexperienced youth.

Division of the empire between the three sons of Constantine.

§ 7. The massacre of the Flavian race was succeeded by a new division of the provinces, which was ratified in a personal interview of the three brothers. Constantine, the eldest of the Cæsars, obtained, with a certain pre-eminence of rank, the possession of the new capital, which bore his own name and that of his father. Thrace and the countries of the East were allotted for the patrimony of Constantius; and Constans was acknowledged as the lawful sovereign of Italy, Africa, and the western Illyricum.‡ The armies submitted to their hereditary right, and they condescended, after some delay, to accept from the Roman senate the title of *Augustus*. When they first assumed the reins of government, the eldest of these princes was twenty-one, the second twenty, and the third only seventeen, years of age (Sept. 9th, A.D. 337).

The Persian war.

§ 8. While the martial nations of Europe followed the standards of his brothers, Constantius, at the head of the effeminate troops of Asia, was left to sustain the weight of the Persian war. At the decease of Constantine, the throne of the East was filled by Sapor, son of Hormouz, or Hormisdas, and grandson of Narses, who, after the victory of Galerius, had humbly confessed the superiority of the Roman power. Sapor was in the thirtieth year of his reign and his life, for his mother remained pregnant at the time of her husband's death. The ambition of Sapor, to whom his enemies ascribe the virtues of a

* Ablavius (or Ablabius) was prætorian præfect. He was not one of those massacred in the capital; he was first dismissed and then slain in Bithynia (Zosimus, ii. 40).

† The brother of Constantine.

‡ We have no detailed information as to the division of power or of territory between the three brothers. Subsequent events make the territorial assignment given in the text probable. But it is not known what legal regulations were made for so adjusting the relations of the three rulers as to secure the unity of the empire. See Schiller, *Geschichte*, III. iii. 20.

soldier and a statesman, was animated by the desire of revenging the disgrace of his fathers, and of wresting from the hands of the Romans the five provinces beyond the Tigris.* The military fame of Constantine, and the real or apparent strength of his government, suspended the attack; but the death of this emperor was the signal of war.

During the long period of the reign of Constantius the provinces of the East were afflicted by the calamities of the Persian war. The irregular incursions of the light troops alternately spread terror and devastation beyond the Tigris and beyond the Euphrates, from the gates of Ctesiphon to those of Antioch. The more grave and important operations of the war were conducted with equal vigour; and the armies of Rome and Persia encountered each other in nine bloody fields, in all of which victory remained on the side of the Persians. But whatever advantages might attend the arms of Sapor in the field, he could not hope to succeed in the execution of his designs while the fortified towns of Mesopotamia, and, above all, the strong and ancient city of Nisibis, situate about two days' journey from the Tigris, remained in the possession of the Romans. In the space of twelve years Nisibis, which, since the time of Lucullus, had been deservedly esteemed the bulwark of the East,† sustained three memorable sieges against the power of Sapor (A.D. 338, 346, 350), and the disappointed monarch, after urging his attacks above 60, 70, and 100 days, was thrice repulsed with loss and ignominy. Sapor was obliged to relinquish the third siege in consequence of a formidable invasion of the eastern provinces of Persia by the Massagetæ. The danger and difficulties of the Scythian war engaged him soon afterwards to conclude, or at least to observe, a truce with the Roman emperor, which was equally grateful to both princes, as Constantius himself, after the deaths of his two brothers, was involved, by the revolutions of the West, in a civil contest which required the most vigorous exertion of his undivided strength.

Civil war and death of Constantine.

§ 9. After the partition of the empire three years had scarcely elapsed before the sons of Constantine seemed impatient to convince mankind that they were incapable of contenting themselves with the dominions which they were unqualified to govern. The eldest of those princes soon complained that he was defrauded of his just proportion of the spoils of their murdered kinsmen; and at the head of a tumultuary band, suited for rapine rather than for conquest, he suddenly broke into the dominions of Constans, by the way of the Julian Alps. On the news of his brother's invasion, Constans detached a select and disciplined body of his Illyrian troops, proposing to follow them in person with the remainder of his forces. But the conduct of

* See ch. vii. § 6.

† It had ranked, with Carrhæ and Edessa, as one of the three μητροπόλεις of Mesopotamia since the time of Severus Alexander (Marquardt, *Staatsverwaltung*, i. p. 437).

his lieutenants soon terminated the unnatural contest. By the artful appearances of flight, Constantine was betrayed into an ambuscade, which had been concealed in a wood, where the rash youth, with a few attendants, was surprised, surrounded, and slain (A.D. 340).

Murder of Constans.

§ 10. The fate of Constans himself was delayed about ten years longer, and the revenge of his brother's death was reserved for the more ignoble hand of a domestic traitor. The vices of Constans had rendered him contemptible; and Magnentius, an ambitious soldier, who was of barbarian extraction, was encouraged by the public discontent to assert the honour of the Roman name. The friendship of Marcellinus, count of the sacred largesses, supplied with a liberal hand the means of seduction; and the soldiers in the city of Autun were easily persuaded to salute Magnentius as Augustus. Constans, who was pursuing in the adjacent forest his favourite amusement of hunting, had barely time for flight; but before he could reach a seaport in Spain, where he intended to embark, he was overtaken near Helena, at the foot of the Pyrenees, by a party of light cavalry, whose chief executed his commission by the murder of the son of Constantine (A.D. 350).

Magnentius and Vetranio assume the purple.

§ 11. As soon as the death of Constans had decided this easy but important revolution, Magnentius was acknowledged as Augustus through the whole extent of the two great præfectures of Gaul and Italy. The martial countries of Illyricum, from the Danube to the extremity of Greece, had long obeyed the government of Vetranio, an aged and experienced general, beloved for the simplicity of his manners. Attached to the house of Constantine, he immediately gave the strongest assurances to the only surviving son of his late master that he would inflict a just revenge on the traitors of Gaul. But the legions of Vetranio were seduced by the example of rebellion; their leader soon betrayed a want of firmness or a want of sincerity, and his ambition derived a specious pretence from the approbation of the princess Constantina. That cruel and aspiring woman, who had obtained from the great Constantine, her father, the rank of *Augusta*,* placed the diadem with her own hands on the head of the Illyrian general (March, A.D. 350), and seemed to expect from his victory the accomplishment of those unbounded hopes of which she had been disappointed by the death of her husband Hannibalianus.

Constantius deposes Vetranio.

§ 12. The intelligence of these important events, which so deeply affected the honour and safety of the Imperial house, recalled the arms of Constantius from the inglorious prosecution

* This title, as applied to ladies of the Imperial house, was originally reserved for a single member—the mother, the grandmother, or the wife of the reigning emperor—and may have implied originally some share in the throne. But it soon became a merely honorary designation; it was conferred, *e.g.*, on Marciana, the sister of Trajan (Pliny, *Panegyricus*, 84). See Mommsen, *Staatsrecht*, ii. p. 821.

of the Persian war. He recommended the care of the East to his lieutenants, and afterwards * to his cousin Gallus, whom he raised from a prison to a throne, and marched towards Europe, with a mind agitated by the conflict of hope and fear, of grief and indignation. His first object was to disunite his antagonists, and to separate the forces of Illyricum from the cause of rebellion. It was an easy task to deceive the frankness and simplicity of Vetranio, who, fluctuating some time between the opposite views of honour and interest, was insensibly engaged in the snares of an artful negotiation. Vetranio consented to meet Constantius in the plain of Sardica.† The emperor of the East had seduced the troops of his rival; and when Constantius addressed the two armies, even the soldiers of Vetranio saluted him as their lawful emperor (December, A.D. 350). Constantius used his victory with prudence and moderation. Vetranio, who had reigned only ten months, was allowed to retire to the city of Prusa, where he lived six years in the enjoyment of ease and affluence.

Makes war against Magnentius death of Magnentius.

§ 13. The approaching contest with Magnentius could be determined by the sword alone. The tyrant advanced by rapid marches to encounter Constantius, at the head of a numerous army; and the plains of the Lower Pannonia, between the Drave, the Save, and the Danube, were the theatre of the war during the summer months. At length, on the 28th of September, A.D. 351, a bloody battle was fought near Mursa, or Essek, celebrated in modern times for a bridge of boats, five miles in length, over the river Drave. The number of the slain was computed at 54,000 men; but the victory remained on the side of Constantius; and Magnentius fled across the Julian Alps and took refuge in the city of Aquileia.

The approach of winter supplied the indolence of Constantius with specious reasons for deferring the prosecution of the war till the ensuing spring. Magnentius had fixed his residence in the city of Aquileia, and showed a seeming resolution to dispute the passage of the mountains and morasses which fortified the confines of the Venetian province. The surprisal of a castle in the Alps by the secret march of the Imperialists could scarcely have determined him to relinquish the possession of Italy, if the inclinations of the people had supported the cause of their tyrant. But the memory of the cruelties exercised by his ministers, after the unsuccessful revolt of Nepotian, had left a deep impression of horror and resentment on the minds of the Romans. That rash youth, the son of the princess Eutropia, and the nephew of Constantine, had seen with indignation the sceptre of the West

* A.D. 351.

† Schiller (*Geschichte*, III. ii. 21) takes the view that Vetranio had always been loyal to Constantius, that he assumed the diadem in order to anticipate a rival to his master, and that the surrender of his position was only the fulfilment of a long contemplated design. His treatment by Constantius—usually so implacable to traitors—certainly lends some colour to this version.

usurped by a perfidious barbarian. Arming a desperate troop of slaves and gladiators, he overpowered the feeble guard of the domestic tranquillity of Rome, received the homage of the senate, and, assuming the title of Augustus, precariously reigned during a tumult of 28 days (July, A.D. 350). The march of some regular forces put an end to his ambitious hopes: the rebellion was extinguished in the blood of Nepotian, of his mother Eutropia, and of his adherents; and the proscription was extended to all who had contracted a fatal alliance with the name and family of Constantine. But as soon as Constantius, after the battle of Mursa, became master of the sea-coast of Dalmatia, Rome and the Italian cities were persuaded to display his banners on their walls. The grateful veterans, enriched by the liberality of the father, renewed their oath of allegiance to Constantius; and the usurper, alarmed by the general desertion, was compelled, with the remains of his faithful troops, to retire beyond the Alps into the provinces of Gaul (A.D. 352).

The following year brought the civil war to a close. The Imperial troops forced the passages of the Cottian Alps, and gained a decisive victory over Magnentius in the bloody combat of Mount Seleucus.* He was unable to bring another army into the field; and perceiving that his guards were preparing to deliver him to the conqueror, he prevented their design by falling on his sword. The example of suicide was imitated by Decentius, who had been raised by his brother to the rank of Cæsar.

§ 14. The divided provinces of the empire were again united by the victory of Constantius; but as that feeble prince was destitute of personal merit either in peace or war; as he feared his generals, and distrusted his ministers; the triumph of his arms served only to establish the reign of the *eunuchs* over the Roman world. They were skilled in the arts of flattery and intrigue; and they alternately governed the mind of Constantius by his fears, his indolence, and his vanity. Of these slaves the most distinguished was the chamberlain Eusebius, who ruled the monarch and the palace with absolute sway. By his artful suggestions, the emperor was persuaded to subscribe the condemnation of the unfortunate Gallus, and to add a new crime to the long list of unnatural murders which pollute the honour of the house of Constantine. Power of the eunuchs.

§ 15. When the two nephews of Constantine, Gallus and Julian, were saved from the fury of the soldiers, the former was about twelve, and the latter about six, years of age. They received a careful education, but the strictest watch was set over them, and for many years they resided in the strong castle of Macellum, near Cæsarea. At length, however, the emergencies of the state compelled the emperor, or rather his eunuchs, to invest Gallus, in the twenty-fifth year of his age, with the title of Cæsar, and to cement this political connection by his marriage Gallus declared Cæsar: his cruelty and death.

* In the *Alpes Cottiæ* (Mont Genèvre).

with the princess Constantina (A.D. 351, March 15). Gallus fixed his residence at Antioch; from whence, with a delegated authority, he administered the five great dioceses of the eastern præfecture.* Even the writers the most indulgent to the memory of Gallus, are obliged to confess that the Cæsar was incapable of reigning. Transported from a prison to a throne, he possessed neither genius nor application, nor docility to compensate for the want of knowledge and experience. A temper naturally morose and violent, instead of being corrected, was soured by solitude and adversity; the remembrance of what he had endured disposed him to retaliation rather than to sympathy; and the ungoverned sallies of his rage were often fatal to those who approached his person, or were subject to his power. Constantina, his wife, is described, not as a woman, but as one of the infernal furies tormented with an insatiate thirst of human blood. Every apartment of the palace was adorned with the instruments of death and torture, and a general consternation was diffused through the capital of Syria.

As long as the civil war suspended the fate of the Roman world Constantius dissembled his knowledge of the weak and cruel administration to which his choice had subjected the East. But when the victory was decided in favour of Constantius, his dependent colleague became less useful and less formidable; and Domitian, the Oriental præfect, was empowered by a special commission to visit and reform the state of the East. On his arrival at Antioch, Domitian treated Gallus with such haughtiness, that the Cæsar expressed his resentment by delivering Domitian to the custody of a guard. Montius, the quæstor of the Imperial palace, interfered to protect Domitian, and required the civil and military officers, in the name of their sovereign, to defend the person and dignity of his representative. By this rash declaration of war the impatient temper of Gallus was provoked to embrace the most desperate counsels. He ordered his guards to stand to their arms, assembled the populace of Antioch, and recommended to their zeal the care of his safety and revenge. His commands were too fatally obeyed. They rudely seized the præfect and quæstor, and, tying their legs together with ropes, they dragged them through the streets of the city, inflicted a thousand insults and a thousand wounds on these unhappy victims, and at last precipitated their mangled and lifeless bodies into the stream of the Orontes.

After such a deed, whatever might have been the designs of Gallus, it was only in a field of battle that he could assert his innocence with any hope of success. But the mind of that prince was formed of an equal mixture of violence and weakness. Instead of assuming the title of Augustus, instead of employing in his defence the troops and treasures of the East, he suffered himself to be deceived by the affected tranquillity of Constantius,

* *I.e.* Oriens (Syria, Palestine, Cilicia), Ægyptus, Asiana (S.W. Asia Minor), Pontica (N.E. Asia Minor), and Thracia.

who, leaving him the vain pageantry of a court, imperceptibly recalled the veteran legions from the provinces of Asia. But as it still appeared dangerous to arrest Gallus in his capital, the slow and safer arts of dissimulation were practised with success. The frequent and pressing epistles of Constantius were filled with professions of confidence and friendship, exhorting the Cæsar to relieve his colleague from a part of the public cares, and to assist the West by his presence, his counsels and his arms. After a long delay the reluctant Cæsar set forwards on his journey to the Imperial court. From Antioch to Hadrianople he traversed the wide extent of his dominions with a numerous and stately train; but soon after his arrival at the latter city he received a mandate, expressed in the most haughty and absolute style, that his splendid retinue should halt in that city, while the Cæsar himself, with only ten post-carriages, should hasten to the Imperial residence at Milan. The dissimulation which had hitherto been preserved was laid aside at Poetovio, in Pannonia. Here he was arrested, ignominiously stripped of the ensigns of Cæsar and hurried away to Pola, in Istria, a sequestered prison, which had been so recently polluted with royal blood. The horror which he felt was soon increased by the appearance of his implacable enemy the eunuch Eusebius, who, with the assistance of a notary and a tribune,* proceeded to interrogate him concerning the administration of the East. Constantius, who reviewed with partial prejudice the minutes of the examination, was easily convinced that his own safety was incompatible with the life of his cousin: the sentence of death was signed, despatched, and executed; and the nephew of Constantine, with his hands tied behind his back, was beheaded in prison, like the vilest malefactor (A.D. 354, December).

§ 16. Besides the reigning emperor, Julian alone survived of all the numerous posterity of Constantius Chlorus. The misfortune of his royal birth involved him in the disgrace of Gallus. From his retirement in the happy country of Ionia he was conveyed, under a strong guard, to the court of Milan, where he languished above seven months in the continual apprehension of suffering the same ignominious death which was daily inflicted, almost before his eyes, on the friends and adherents of his persecuted family. He owed his life to the steady and generous friendship of the empress Eusebia, a woman of beauty and merit, who, by the ascendant which she had gained over the mind of her husband, counterbalanced in some measure the powerful conspiracy of the eunuchs. By the intercession of his patroness Julian was admitted into the Imperial presence: he pleaded his cause with a decent freedom; he was heard with

Escape of Julian: he is declared Cæsar.

* The words *notarius et tribunus* appear to designate the same official (elsewhere called *notarius* simply). These "notaries" were secretaries of the consistory. For the curious transference of military titles such as "tribune" to civil officials, see Kuhn, *Verfassung des Römischen Reichs*, p. 153, ff.

favour; and shortly afterwards the city of Athens was assigned as the place of his honourable exile. As he had discovered from his earliest youth a propensity, or rather passion, for the language, the manners, the learning, and the religion of the Greeks, he obeyed with pleasure an order so agreeable to his wishes. After spending four months amidst the groves of the Academy, far from the tumults of arms and the treachery of courts, Julian was summoned back to Milan. The death of the late Cæsar had left Constantius invested with the sole command, and oppressed by the accumulated weight, of a mighty empire. Before the wounds of civil discord could be healed, the provinces of Gaul were overwhelmed by a deluge of barbarians. The Sarmatians no longer respected the barrier of the Danube. Above all, the Persian monarch, elated by victory, again threatened the peace of Asia; and the presence of the emperor was indispensably required both in the West and in the East. For the first time Constantius sincerely acknowledged that his single strength was unequal to such an extent of care and of dominion. In consequence of the advice of Eusebia, it was resolved that Julian, after celebrating his nuptials with Helena, sister of Constantius, should be appointed, with the title of Cæsar, to reign over the countries beyond the Alps. Accordingly, Julian was declared Cæsar at Milan Nov. 6, A.D. 355, and shortly afterwards set out to his government of Gaul.

Constantius visits Rome.

§ 17. The protection of the Rhætian frontier, and the persecution of the Catholic church, detained Constantius in Italy above eighteen months after the departure of Julian. Before the emperor returned into the East he indulged his pride and curiosity in a visit to the ancient capital (A.D. 357, April 28). His short visit of thirty days was employed in viewing the monuments of art and power which were scattered over the seven hills and the interjacent valleys. He admired the awful majesty of the Capitol, the vast extent of the baths of Caracalla and Diocletian, the severe simplicity of the Pantheon, the massive greatness of the amphitheatre of Titus, the elegant architecture of the theatre of Pompey and the Temple of Peace, and, above all, the stately structure of the Forum and the column of Trajan; acknowledging that the voice of fame, so prone to invent and to magnify, had made an inadequate report of the metropolis of the world. The traveller who has contemplated the ruins of ancient Rome may conceive some imperfect idea of the sentiments which they must have inspired when they reared their heads in the splendour of unsullied beauty. The satisfaction which Constantius had received from this journey determined him to embellish the capital by the gift of an Egyptian obelisk, which Constantine had designed to adorn his new city. It had originally stood before the Temple of the Sun at Heliopolis, and had been floated down the Nile to Alexandria. The death of Constantine suspended the execution of his purpose; and this obelisk was now transported from the

banks of the Nile to those of the Tiber, and elevated in the great circus of Rome. It stands at present in the square before the church of St. John Lateran.

Wars with the Quadi and Sarmatians.

§ 18. The departure of Constantius from Rome was hastened by the alarming intelligence of the distress and danger of the Illyrian provinces. The distractions of civil war, and the irreparable loss which the Roman legions had sustained in the battle of Mursa, exposed those countries, almost without defence, to the light cavalry of the barbarians; and particularly to the inroads of the Quadi.* In A.D. 358 Constantius crossed the Danube, penetrated into the heart of the country of the Quadi, and soon reduced them to sue for peace. He then directed his arms against the Limigantes,† whom he exterminated after a severe struggle, and reinstated the Sarmatians in the possession of their ancient seats.

Renewal of the Persian war.

§ 19. The Persian war, which had languished for some time, was renewed in A.D. 359 by the invasion of Mesopotamia by Sapor in person, who threatened to drive the Romans out of Asia. He first laid siege to Amida, a strongly fortified city on the Tigris, which resisted his attacks for 73 days, and which was not taken till 30,000 of his veterans had perished beneath its walls. But the ruin of this city was the safety of the Roman provinces. As soon as the first transports of victory had subsided, Sapor was at leisure to reflect that to chastise a disobedient city he had lost the flower of his troops and the most favourable season for conquest, and he returned to his capital with affected triumph and secret mortification. The strength as well as the spirit of the army with which Sapor took the field in the ensuing spring (A.D. 360) was no longer equal to the unbounded views of his ambition. Instead of aspiring to the conquest of the East, he was obliged to content himself with the reduction of two fortified cities of Mesopotamia, Singara and Bezabde; the former situate in the midst of a sandy desert, the other on a low sandy island in the Tigris. After dismantling the walls of Singara, the conqueror abandoned that solitary and sequestered place; but he carefully restored the fortifications of Bezabde, and fixed in that important post a garrison or colony of veterans. Constantius arrived at the scene of war soon after the reduction of these two cities. He attempted to recover Bezabde, and pressed the siege with the utmost vigour, but he was at length compelled by the rainy season to retreat ingloriously into his winter-quartes at Antioch.

Campaigns of Julian in Gaul.

§ 20. In the blind fury of civil discord, Constantius had abandoned to the barbarians of Germany the countries of Gaul, which still acknowledged the authority of his rival. A numerous swarm of Franks and Alemanni were invited to cross the Rhine

* The Quadi were, with the exception of the Bastarnæ (ch. vi. § 14), the most easterly of the German tribes. They dwelt north of the Danube, about the valley of the March (*Marus*), just above Vienna.

† For the Limigantes, see § 5 of this chapter.

by presents and promises, and by a perpetual grant of all the territories which they should be able to subdue. But the emperor, who for a temporary service had thus imprudently provoked the rapacious spirit of the barbarians, soon discovered the difficulty of dismissing these formidable allies, after they had tasted the richness of the Roman soil. Regardless of the nice distinction of loyalty and rebellion, these undisciplined robbers treated as their natural enemies all the subjects of the empire who possessed any property which they were desirous of acquiring. Forty-five flourishing cities, Tongres, Cologne, Trèves, Worms, Spires, Strasburg, etc., besides a far greater number of towns and villages, were pillaged, and for the most part reduced to ashes. The Alemanni were established in the modern countries of Alsace and Lorraine; the Franks occupied the island of the Batavians, together with an extensive district of Brabant, which was then known by the appellation of Toxandria,* and may deserve to be considered as the original seat of the Gallic monarchy. From the sources to the mouth of the Rhine, the conquests of the Germans extended above forty miles to the west of that river, and the scene of their devastations was three times more extensive than that of their conquests. At a still greater distance the open towns of Gaul were deserted, and the inhabitants of the fortified cities, who trusted to their strength and vigilance, were obliged to content themselves with such supplies of corn as they could raise on the vacant land within the enclosure of their walls.

Under these melancholy circumstances, an inexperienced youth was appointed to save and to govern the provinces of Gaul. The retired scholastic education of Julian, in which he had been more conversant with books than with arms, with the dead than with the living, left him in profound ignorance of the practical arts of war and government; and when he awkwardly repeated some military exercise which it was necessary for him to learn, he exclaimed with a sigh, "O Plato, Plato, what a task for a philosopher!" Yet even this speculative philosophy, which men of business are too apt to despise, had filled the mind of Julian with the noblest precepts and the most shining examples; had animated him with the love of virtue, the desire of fame, and the contempt of death. In learning the arts of war and of government he was assisted by the wisdom and experience of Sallust, an officer of rank, who soon conceived a sincere attachment for a prince so worthy of his friendship. In the course of four campaigns (A.D. 356–359) he not only drove the Franks and Alemanni out of Gaul, but he made three expeditions beyond the Rhine, and carried the terror of the Roman arms into the interior of Germany. He rebuilt the cities

The *Campen*, north of Brabant, the islands of Zeeland, the territory about Ghent and Bruges have been variously identified with the *Toxandria locus* of Ammianus (xvii. 8). See G. Long in Smith's *Dictionary of Greek and Roman Geography*, ii. p. 1217.

of Gaul which had suffered most from the inroads of the barbarians, and diffused prosperity over the provinces which had been so long exposed to the evils of civil discord, barbarian war, and domestic tyranny.

Julian proclaimed Augustus.

§ 21. While the praises of Julian were repeated with transport in every part of the empire, they excited the liveliest apprehension in the palace of Constantius. The timid monarch and his artful ministers resolved to disarm the Cæsar, to recall those faithful troops who guarded his person and dignity; and to employ, in a distant war against the Persian monarch, the hardy veterans who had vanquished, on the banks of the Rhine, the fiercest nations of Germany. While Julian used the laborious hours of his winter-quarters at Paris in the administration of power, he was surprised by the hasty arrival of a tribune and a notary,* with positive orders from the emperor that four entire legions † should be separated from the standard of Julian, under which they had acquired their fame and discipline; that in each of the remaining bands 300 of the bravest youths should be selected; and that this numerous detachment, the strength of the Gallic army, should instantly begin their march, and exert their utmost diligence to arrive, before the opening of the campaign, on the frontiers of Persia. The Cæsar foresaw and lamented the consequences of this fatal mandate. He issued the necessary orders for carrying into execution the commands of the emperor; but the soldiers, who loved and admired Julian, who despised and perhaps hated Constantius, determined to raise their general to the throne. They were assembled at Paris before their departure to the East; and at the hour of midnight they quitted their quarters, encompassed the palace, and, careless of future dangers, pronounced the fatal and irrevocable words, JULIAN AUGUSTUS! The prince in vain refused the proffered honour; nor did he yield till he had been repeatedly assured that, if he wished to live, he must consent to reign (A.D. 360). Having once assumed the Imperial title, it was impossible to lay it down again with safety; but Julian was still desirous of saving his country from the calamities of civil war, of declining a contest with the superior forces of Constantius, and of preserving his own character from the reproach of perfidy and ingratitude. Accordingly, he obtained a solemn promise from the troops, that, if the emperor of the East would subscribe an equitable treaty, they would renounce any views of conquest, and satisfy themselves with the tranquil possession of the Gallic provinces. On this foundation he composed, in his own name, and in that of the army, a specious and moderate epistle, which was delivered to Pentadius, his master of the offices, and to his chamberlain Eutherius; two ambassadors

* See note to § 15.

† Or "divisions of auxiliaries." The divisions to be withdrawn were "auxiliares milites—Ærulos et Batavos cumque Petulantibus Celtas et lectos ex numeris aliis trecentenos" (Ammianus, xx. 4).

whom he appointed to receive the answer and observe the dispositions of Constantius. This epistle is inscribed with the modest appellation of Cæsar; but Julian solicits in a peremptory though respectful manner, the confirmation of the title of Augustus. He acknowledges the irregularity of his own election, while he justifies, in some measure, the resentment and violence of the troops which had extorted his reluctant consent. He allows the supremacy of his brother Constantius, and engages to accept from his choice a prætorian præfect of approved discretion and fidelity; but he reserves for himself the nomination of his other civil and military officers, with the troops, the revenue, and the sovereignty of the provinces beyond the Alps. The summer of this year and the beginning of the following was occupied by Julian in his fourth and fifth expeditions beyond the Rhine, in which he renewed the deep impressions of terror and respect which had been already made by three preceding expeditions.

Preparations for civil war: death of Constantius, and undisputed accession of Julian.

§ 22. Meantime, Constantius had rejected with contempt the moderate proposals of Julian. He required him to renounce the appellation and rank of Augustus, and to descend to his former station of a limited and dependent minister. When Julian perceived that his moderate and respectful behaviour served only to irritate the pride of an implacable adversary, he boldly resolved to commit his life and fortune to the chance of a civil war. The Imperial legions were still in their distant quarters of Asia; the Danube was feebly guarded; and if Julian could occupy, by a sudden incursion, the important provinces of Illyricum, he might expect that a people of soldiers would resort to his standard, and that the rich mines of gold and silver would contribute to the expenses of the civil war. In the neighbourhood of Basel he assembled and divided his army. One body was directed to advance through the midland parts of Rhætia and Noricum. Another division prepared to follow the oblique course of the highways through the Alps and the northern confines of Italy; and both were ordered to join their sovereign under the walls of Sirmium. For himself Julian had reserved a more difficult and extraordinary part. He selected 3000 brave and active volunteers, resolved, like their leader, to cast behind them every hope of a retreat; at the head of this faithful band, he fearlessly plunged into the recesses of the Marcian, or Black forest, which conceals the sources of the Danube; and, for many days, the fate of Julian was unknown to the world. The secrecy of his march, his diligence and vigour, surmounted every obstacle; he forced his way over mountains and morasses, occupied the bridges or swam the rivers, pursued his direct course without reflecting whether he traversed the territory of the Romans or of the barbarians, and at length emerged, between Ratisbon and Vienna, at the place where he designed to embark his troops on the Danube. By a well-concerted stratagem he seized a fleet of light brigantines as it lay at

anchor; and boldly committed himself to the stream of the Danube. The labours of his mariners, who plied their oars with incessant diligence, and the steady continuance of a favourable wind, carried his fleet above 700 miles in 11 days; and he had already disembarked his troops at Bononia,* only 19 miles from Sirmium, before his enemies could receive any certain intelligence that he had left the banks of the Rhine. The inhabitants of Sirmium opened their gates to him; and the possession of the strongest and most populous city of Illyricum was followed by the submission of all the neighbouring provinces.

The intelligence of the march and rapid progress of Julian was speedily transmitted to his rival, who, by the retreat of Sapor, had obtained some respite from the Persian war. Disguising the anguish of his soul under the semblance of contempt, Constantius professed his intention of returning into Europe, and of giving chace to Julian; for he never spoke of this military expedition in any other light than that of a hunting party. But the seasonable death of Constantius delivered the Roman empire from the calamities of civil war. The approach of winter could not detain the monarch at Antioch; and his favourites durst not oppose his impatient desire of revenge. A slight fever, which was perhaps occasioned by the agitation of his spirits, was increased by the fatigues of the journey, and Constantius was obliged to halt at the little town of Mopsucrene, 12 miles beyond Tarsus, where he expired, after a short illness, in the 44th year of his age, and the 24th of his reign (A.D. 361, November 3). His character was composed of pride and weakness, of superstition and cruelty. The long abuse of power rendered him a considerable object in the eyes of his contemporaries; but, as personal merit can alone deserve the notice of posterity, the last of the sons of Constantine may be dismissed from the world with the remark that he inherited the defects, without the abilities, of his father. The death of Constantius was followed by the immediate submission of his army; and two officers of rank were instantly despatched to assure Julian that every sword in the empire would be drawn for his service. Impatient to visit the capital of the empire, Julian advanced through the mountains of Hæmus and the cities of Thrace. When he reached Heraclea, at the distance of 60 miles, all Constantinople was poured forth to receive him; and he made his triumphal entry amidst the dutiful acclamations of the soldiers, the people, and the senate (Dec. 11). An innumerable multitude pressed around him with eager respect, and were perhaps disappointed when they beheld the small stature and simple garb of a hero, whose inexperienced youth had vanquished the barbarians of Germany, and who had now traversed, in a successful career, the whole continent of Europe, from the shores of the Atlantic to those of the Bosporus.

§ 23. The history of the Church from the establishment of the The Council of Nicæa:

* In Pannonia.

Constantine persecutes first the Arians, and afterwards the orthodox party.

Christian religion by Constantine to the death of Constantius demands a few words. The disputes respecting the nature of the Trinity led to the convocation of the first general council of the Christian Church, which assembled at Nicæa (Nice), a city of Bithynia in A.D. 325. This council condemned the opinions of Arius and his followers, and adopted the celebrated word *Homoousion*,* which affirmed that the Father and the Son were of the same substance. The Nicene creed was ratified by Constantine; and his firm declaration, that those who resisted the divine judgment of the synod must prepare themselves for an immediate exile, annihilated the murmurs of a feeble opposition. The impious Arius was banished into one of the remote provinces of Illyricum; his person and disciples were branded, by law, with the odious name of Porphyrians;† his writings were condemned to the flames, and a capital punishment was denounced against those in whose possession they should be found.

But, as if the conduct of the emperor had been guided by passion instead of principle, three years from the council of Nicæa were scarcely elapsed before he discovered some symptoms of mercy, and even of indulgence, towards the proscribed sect, which was secretly protected by his favourite sister. The exiles were recalled; and Eusebius, the Arian bishop of Nicomedia, who gradually resumed his influence over the mind of Constantine, was restored to the episcopal throne, from which he had been ignominiously degraded (A.D. 329). Arius himself was treated by the whole court with the respect which would have been due to an innocent and oppressed man. His faith was approved by the synod of Jerusalem (A.D. 335); and the emperor seemed impatient to repair his injustice, by issuing an absolute command that he should be solemnly admitted to the communion in the cathedral of Constantinople. On the same day which had been fixed for the triumph of Arius he suddenly died (A.D. 336): his death was regarded by the orthodox as a direct judgment from heaven, but was attributed by his friends to poison. The three principal leaders of the catholics, Athanasius of Alexandria, Eustathius of Antioch, and Paul of Constantinople, were deposed on various accusations, by the sentence of numerous councils; and were afterwards banished into distant provinces by the first of the Christian emperors, who, in the last moments of his life, received the rites of baptism from the Arian bishop of Nicomedia.

Persecution of the orthodox by Constantius: history of Athanasius.

§ 24. The sons of Constantine must have been admitted from

* Ὁμοούσιον, from ὁμός, *same*, and οὐσία, *substance*. The word Ὁμοιοούσιον, which affirmed that the Father and the Son were of a similar (ὅμοιος) substance, was the compromise between the heretical and the orthodox view adopted by the milder Arians.

† *Porphyriani*, from Porphyrius (Malchus) the Neoplatonist (born A.D. 232 or 233), who was regarded by the early fathers as the bitterest (probably because the most skilful) enemy of the faith.

their childhood into the rank of catechumens, but they imitated, in the delay of their baptism, the example of their father. Like him, they presumed to pronounce their judgment on mysteries into which they had never been regularly initiated: and the fate of the Trinitarian controversy depended, in a great measure, on the sentiments of Constantius, who inherited the provinces of the East, and acquired the possession of the whole empire. After the death of his brothers, and his victory over the tyrant Magnentius, Constantius became a warm supporter of Arianism, and employed the arms of power to crush the orthodox party. It is unnecessary to relate the various attempts which he made to impose upon the Christian church the Arian doctrine; but we must not pass over in silence his unjust and ineffectual persecution of the great Athanasius.

The immortal name of Athanasius will never be separated from the catholic doctrine of the Trinity, to whose defence he consecrated every moment and every faculty of his being. He was only a deacon when appointed a member of the council of Nicæa; and upon the death of Alexander, the Archbishop of Alexandria, in A.D. 328, Athanasius was elected as his successor. He filled that eminent station above 46 years, and his long administration was spent in a perpetual combat against the powers of Arianism. Five times was Athanasius expelled from his throne; 20 years he passed as an exile or a fugitive; and almost every province of the Roman empire was successively witness to his merit and his sufferings in the cause of the orthodox faith. Amidst the storms of persecution, the archbishop of Alexandria was patient of labour, jealous of fame, careless of safety; and he displayed a superiority of character and abilities which would have qualified him, far better than the degenerate sons of Constantine, for the government of a great monarchy.

In his youth the primate of Egypt resisted the great Constantine, who had repeatedly signified his will that Arius should be restored to the catholic communion. The emperor respected, and might forgive, this inflexible resolution; and the faction who considered Athanasius as their most formidable enemy were constrained to dissemble their hatred, and silently to prepare an indirect and distant assault. At length in A.D. 335 the council of Tyre deposed him from his archbishopric, and interdicted him from visiting Alexandria. Undismayed by the triumph of his enemies, the deposed archbishop hastened to Constantinople, and presenting himself before Constantine as he was entering the city, entreated the emperor to do him justice. Constantine, after some hesitation, sent him into a kind of honourable banishment at Trèves; but he refused to fill the vacancy of the archiepiscopal throne. The death of the emperor changed the face of public affairs; and, amidst the general indulgence of a young reign, the primate was restored to his country by an honourable edict of the younger Constantine, who expressed a

deep sense of the innocence and merit of his venerable guest (A.D. 338). The death of that prince exposed Athanasius to a second persecution; and the feeble Constantius, the sovereign of the East, soon became the secret accomplice of the Arians. Ninety bishops of that sect or faction assembled at Antioch (A.D. 339) under the specious pretence of dedicating the cathedral. It was decided, with some appearance of equity, that a bishop, deprived by a synod, should not resume his episcopal functions till he had been absolved by the judgment of an equal synod; the law was immediately applied to the case of Athanasius, who withdrew from Alexandria, and passed several years at Rome and in other parts of the Western empire. His cause was espoused by the prelates and the emperor of the West; the council of Sardica (A.D. 343), summoned by the authority of Constans, annulled his sentence of deposition; and two years afterwards Constans signified, by a concise and peremptory epistle to his brother Constantius, that, unless he consented to the immediate restoration of Athanasius, he himself, with a fleet and army, would seat the archbishop on the throne of Alexandria. This religious war was prevented by the timely compliance of Constantius; and Athanasius returned to Alexandria amidst the joyful acclamations of his people (A.D. 346). But the subject who has reduced his prince to the necessity of dissembling can never expect a sincere and lasting forgiveness; and the tragic fate of Constans soon deprived Athanasius of a powerful and generous protector. The civil war between the assassin and the only surviving brother of Constans, which afflicted the empire above three years, secured an interval of repose to the catholic church; but after the death of Magnentius, Constantius resolved to degrade Athanasius from his episcopal dignity, and to deprive him if possible of his life. But the memory of the firm and effectual support which the primate of Egypt had derived from the attachment of the Western church engaged the emperor to suspend the execution of the sentence till he had obtained the concurrence of the Latin bishops. Two years were consumed in ecclesiastical negotiations; but the great council of Milan, which consisted of above 300 bishops, was not dissolved till the archbishop of Alexandria had been solemnly condemned and deposed by the judgment of the Western, as well as of the Eastern, church (A.D. 355). But it was not till the ministers of Constantius had collected a large military force at Alexandria that they ventured to carry into execution the sentence of the council. Athanasius escaped the vengeance of his enemies, and went a third time into exile (A.D. 356). He took refuge in the deserts of the Thebais, and remained in concealment till the death of Constantius. From the depth of his inaccessible retreat the intrepid primate waged an incessant and offensive war against the protector of the Arians; and his seasonable writings, which were diligently circulated and eagerly perused, contributed to unite and animate the orthodox party. In his public apologies,

which he addressed to the emperor himself, he sometimes affected the praise of moderation; whilst at the same time, in secret and vehement invectives, he exposed Constantius as a weak and wicked prince, the executioner of his family, the tyrant of the republic, and the Antichrist of the church. In the height of his prosperity, the victorious monarch, who had chastised the rashness of Gallus, who had taken the diadem from the head of Vetranio, and vanquished in the field the legions of Magnentius, received from an invisible hand a wound which he could neither heal nor revenge; and the son of Constantine was the first of the Christian princes who experienced the strength of those principles which, in the cause of religion, could resist the most violent exertions of the civil power.

[Schiller, *Geschichte der Römischen Kaiserzeit*, III. iii. §§ 19-25; Ranke, *Weltgeschichte*, III. i. c. 15, and IV. i. cc. 1 and 2; Gwatkin, *Studies of Arianism*. For Athanasius see W. Bright in Smith and Wace, *Dictionary of Christian Biography*, i. p. 179, ff.]

Medal Symbolizing Julian's Paganism.

## CHAPTER XII.

### REIGN OF JULIAN.

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The civil government and private life of Julian.

§ 1. JULIAN was in the thirty-first year of his age when he acquired the undisputed possession of the Roman empire.* He practised upon the throne the lessons which he had learnt in the groves of the Academy. He despised the honours, renounced the pleasures, and discharged with incessant diligence the duties of his exalted station: and there were few among his subjects who would have consented to relieve him from the weight of the diadem, had they been obliged to submit their time and their actions to the rigorous laws which their philosophic emperor imposed on himself. One of his most intimate friends,† who had often shared the frugal simplicity of his table, has remarked that his light and sparing diet (which was usually of the

* He was born in November or December, A.D. 331.

† Libanius the rhetorician (see § 13).

vegetable kind) left his mind and body always free and active for the various and important business of an author, a pontiff, a magistrate, a general, and a prince. In one and the same day he gave audience to several ambassadors, and wrote or dictated a great number of letters to his generals, his civil magistrates, his private friends, and the different cities of his dominions. He listened to the memorials which had been received, considered the subject of the petitions, and signified his intentions more rapidly than they could be taken in short-hand by the diligence of his secretaries. While his ministers reposed, the prince flew with agility from one labour to another; and, after a hasty dinner, retired into his library till the public business which he had appointed for the evening summoned him to interrupt the prosecution of his studies. By this avarice of time he seemed to protract the short duration of his reign; and, if the dates were less securely ascertained, we should refuse to believe that only sixteen months elapsed between the death of Constantius and the departure of his successor for the Persian war (December, A.D. 361; March A.D. 363). The actions of Julian can only be preserved by the care of the historian; but the portion of his voluminous writings which is still extant remains as a monument of the application, as well as of the genius, of the emperor. The Misopogon, the Cæsars, several of his orations, and his elaborate work against the Christian religion,* were composed in the long nights of the two winters, the former of which he passed at Constantinople, and the latter at Antioch.

His character.

§ 2. The personal merit of Julian was, in some measure, independent of his fortune. Whatever had been his choice of life, by the force of intrepid courage, lively wit, and intense application, he would have obtained, or at least he would have deserved, the highest honours of his profession, and Julian might have raised himself to the rank of minister or general of the state in which he was born a private citizen. But when we inspect with minute, or perhaps malevolent, attention the portrait of Julian, something seems wanting to the grace and perfection of the whole figure. His genius was less powerful and sublime than that of Cæsar, nor did he possess the consummate prudence of Augustus. The virtues of Trajan appear more steady and natural, and the philosophy of Marcus is more simple and consistent. Yet Julian sustained adversity with firmness, and prosperity with moderation. After an interval of 126 years from the death of Severus Alexander, the Romans beheld an emperor who made no distinction between his duties and his pleasures, who laboured to relieve the distress and to revive the spirit of his subjects, and who endeavoured always to connect authority with merit, and happiness with virtue. Even faction, and religious faction, was constrained to acknowledge the superiority of his genius in peace as well as in war, and to confess, with a sigh,

* See § 5 of this chapter.

that the apostate Julian was a lover of his country, and that he deserved the empire of the world.

His apostasy.

§ 3. The cause of Julian's apostasy from the Christian faith may be derived from the early period of his life when he was left an orphan in the hands of the murderers of his family. The names of Christ and of Constantius, the ideas of slavery and of religion, were soon associated in a youthful imagination, which was susceptible of the most lively impressions. He was educated in the lesser Asia, amidst the scandals of the Arian controversy. The fierce contests of the Eastern bishops, the incessant alterations of their creeds, and the profane motives which appeared to actuate their conduct, insensibly strengthened the prejudice of Julian that they neither understood nor believed the religion for which they so fiercely contended. At the age of twenty (A.D. 351) Julian secretly renounced Christianity, and embraced a theological system which united a philosophic notion of the Deity with the habits of vulgar superstition. The tottering cause of Paganism had formed an alliance with the philosophy of the Academy, and the modern Platonists resorted to the arts of magic and theurgy to resist the progress of the Christian religion.

His initiation and fanaticism.

§ 4. Julian was first initiated into the Grecian mysteries at Ephesus by the hands of Maximus, the boldest and most skilful master of the Theurgic science. During his residence at Athens Julian was also initiated into the mysteries of Eleusis, which, amidst the general decay of the Grecian worship, still retained some vestiges of their primæval sanctity. In the caverns of Ephesus and Eleusis the mind of Julian was penetrated with sincere, deep, and unalterable enthusiasm. From that moment he consecrated his life to the service of the gods; and while the occupations of war, of government, and of study seemed to claim the whole measure of his time, a stated portion of the hours of the night was invariably reserved for the exercise of private devotion. The temperance which adorned the severe manners of the soldier and the philosopher was connected with some strict and frivolous rules of religious abstinence; and it was in honour of Pan or Mercury, of Hecate or Isis, that Julian, on particular days, denied himself the use of some particular food, which might have been offensive to his tutelar deities. By these voluntary fasts he prepared his senses and his understanding for the frequent and familiar visits with which he was honoured by the celestial powers. We learn from his faithful friend, the orator Libanius, that he lived in a perpetual intercourse with the gods and goddesses; that they descended upon earth to enjoy the conversation of their favourite hero; and that he had acquired such an intimate knowledge of his heavenly guests, as readily to distinguish the voice of Jupiter from that of Minerva, and the form of Apollo from the figure of Hercules.

His religious dissimulation: he

§ 5. The important secret of the apostasy of Julian was intrusted to the fidelity of the *initiated*, with whom he was united

by the sacred ties of friendship and religion. The apostate consulted his safety by dissembling his religion; and the easy temper of polytheism permitted him to join in the public worship of a sect which he inwardly despised. The dissimulation of Julian lasted above ten years, from his secret initiation at Ephesus to the beginning of civil war; when he declared himself at once the implacable enemy of Christ and of Constantius. After he had become undisputed master of the Roman world he wrote an elaborate work against Christianity.* Some fragments have been transcribed and preserved by his adversary, the vehement Cyril of Alexandria; and they exhibit a very singular mixture of wit and learning, of sophistry and fanaticism. The elegance of the style and the rank of the author recommended his writings to the public attention; and in the impious list of the enemies of Christianity the celebrated name of Porphyry was effaced by the superior merit or reputation of Julian.

writes against Christianity.

§ 6. The Christians, who beheld with horror and indignation the apostasy of Julian, had much more to fear from his power than from his arguments. The Pagans, who were conscious of his fervent zeal, expected, perhaps with impatience, that the flames of persecution should be immediately kindled against the enemies of the gods. But the hopes, as well as the fears, of the religious factions were apparently disappointed by the prudent humanity of a prince who surprised the world by an edict which extended to all the inhabitants of the Roman world the benefits of a free and equal toleration. But at the same time he laboured to restore the ancient religion of the empire and to undermine the foundations of Christianity. He celebrated the worship of the gods with great pomp and splendour, sent magnificent presents to all the celebrated places of devotion in the Roman world; and allotted sums to repair and decorate the ancient temples, which had suffered the silent decay of time, or the recent injuries of Christian rapine. Encouraged by the example, the exhortations, the liberality of their pious sovereign, the cities and families resumed the practice of their neglected ceremonies. "Every part of the world," exclaims Libanius, with devout transport, "displayed the triumph of religion, and the grateful prospect of flaming altars, bleeding victims, the smoke of incense, and a solemn train of priests and prophets, without fear and without danger. The sound of prayer and of music was heard on the tops of the highest mountains; and the same ox afforded a sacrifice for the gods, and a supper for their joyous votaries."

Universal toleration: zeal and devotion of Julian in the restoration of Paganism.

The enthusiasm of Julian prompted him to embrace the friends of Jupiter as his personal friends and brethren. He admired and rewarded the perseverance of those Pagans

* Three books *adversus Christianos* (κατὰ Χριστιανῶν), written probably in A.D. 361 (Wordsworth, in Smith and Wace, *Dict. of Christian Biography*, iii. p. 491). See Schwarz, *de vita et scriptis Juliani imperatoris*, p. 13; Neumann, *Kaiser Julians Bücher gegen die Christen.*

who had preferred the favour of the gods to that of the emperor. If they cultivated the literature as well as the religion of the Greeks, they acquired an additional claim to the friendship of Julian, who ranked the Muses in the number of his tutelar deities. In the religion which he had adopted, piety and learning were almost synonymous; and a crowd of poets, of rhetoricians, and of philosophers, hastened to the Imperial Court to occupy the vacant places of the bishops who had seduced the credulity of Constantius. Among the philosophers, Maximus obtained the most eminent rank in the friendship of his royal disciple, but he was insensibly corrupted by the temptations of a court, and was exposed, under a succeeding reign, to a disgraceful inquiry into the means by which the disciple of Plato had accumulated, in the short duration of his favour, a very scandalous proportion of wealth.

Julian showed almost equal favour to the Christians who prudently embraced the religion of their sovereign. The acquisition of new proselytes gratified the ruling passions of his soul, superstition, and vanity; and he was heard to declare, with the enthusiasm of a missionary, that if he could render each individual richer than Midas, and every city greater than Babylon, he should not esteem himself the benefactor of mankind unless, at the same time, he could reclaim his subjects from their impious revolt against the immortal gods. A prince who had studied human nature, and who possessed the treasures of the Roman empire, could adapt his arguments, his promises, and his rewards to every order of Christians; and the merit of a seasonable conversion was allowed to supply the defects of a candidate, or even to expiate the guilt of a criminal. As the army is the most forcible engine of absolute power, Julian applied himself, with peculiar diligence, to corrupt the religion of his troops, without whose hearty concurrence every measure must be dangerous and unsuccessful, and the natural temper of soldiers made this conquest as easy as it was important. The legions of Gaul devoted themselves to the faith, as well as to the fortunes, of their victorious leader. The armies of the East, which had been trained under the standard of the cross and of Constantius, required a more artful and expensive mode of persuasion. On the days of solemn and public festivals the emperor received the homage, and rewarded the merit, of the troops. His throne of state was encircled with the military ensigns of Rome and the republic; the holy name of Christ was erased from the *Labarum;* and the symbols of war, of majesty, and of Pagan superstition were so dexterously blended that the faithful subject incurred the guilt of idolatry when he respectfully saluted the person or image of his sovereign. The soldiers passed successively in review, and each of them, before he received from the hand of Julian a liberal donative, proportioned to his rank and services, was required to cast a few

grains of incense into the flame which burnt upon the altar. Some Christian confessors might resist, and others might repent; but the far greater number, allured by the prospect of gold and awed by the presence of the emperor, contracted the criminal engagement, and their future perseverance in the worship of the gods was enforced by every consideration of duty and of interest. By the frequent repetition of these arts, and at the expense of sums which would have purchased the service of half the nations of Scythia, Julian gradually acquired for his troops the imaginary protection of the gods, and for himself the firm and effectual support of the Roman legions.

Julian attempts to rebuild the temple of Jerusalem.

§ 7. While the devout monarch incessantly laboured to restore and propagate the religion of his ancestors, he embraced the extraordinary design of rebuilding the temple of Jerusalem. As the Christians were firmly persuaded that a sentence of everlasting destruction had been pronounced against the whole fabric of the Mosaic law, the Imperial sophist would have converted the success of his undertaking into a specious argument against the faith of prophecy and the truth of revelation. He was also anxious to insult the Christians by erecting, on the commanding eminence of Moriah, a stately temple which might eclipse the splendour of the church of the Resurrection on the adjacent hill of Calvary; and he determined to plant there a numerous colony of Jews, whose stern fanaticism would be always prepared to second, and even to anticipate, the hostile measures of the Pagan government. Accordingly at the end of the year 362, his friend Alypius received an extraordinary commission to restore, in its pristine beauty, the temple of Jerusalem. At the call of their great deliverer, the Jews from all the provinces of the empire assembled on the holy mountain of their fathers; and their insolent triumph alarmed and exasperated the Christian inhabitants of Jerusalem. The desire of rebuilding the temple has in every age been the ruling passion of the children of Israel. In this propitious moment the men forgot their avarice, and the women their delicacy; spades and pickaxes of silver were provided by the vanity of the rich, and the rubbish was transported in mantles of silk and purple. Every purse was opened in liberal contributions, every hand claimed a share in the pious labour; and the commands of a great monarch were executed by the enthusiasm of a whole people. Yet, on this occasion, the joint efforts of power and enthusiasm were unsuccessful; and the ground of the Jewish temple, which is now covered by a Mahometan mosque, still continued to exhibit the same edifying spectacle of ruin and desolation. Perhaps the absence and death of the emperor, and the new maxims of a Christian reign, might explain the interruption of an arduous work, which was attempted only in the last six months of the life of Julian. But the Christians entertained a natural and pious expectation that in this memorable contest the honour

of religion would be vindicated by some signal miracle. An earthquake, a whirlwind, and a fiery eruption, which overturned and scattered the new foundations of the temple, are attested, with some variations, by contemporary and respectable evidence. Even Ammianus Marcellinus, a contemporary and a Pagan, relates * that, "whilst Alypius, assisted by the governor of the province, urged with vigour and diligence the execution of the work, horrible balls of fire, breaking out near the foundations, with frequent and reiterated attacks, rendered the place, from time to time, inaccessible to the scorched and blasted workmen; and, the victorious element continuing in this manner obstinately and resolutely bent, as it were, to drive them to a distance, the undertaking was abandoned." But Ammianus was not an eye-witness; and such a miracle cannot be accepted without the original evidence of impartial and intelligent spectators.

He attempts to ruin the Christians.

§ 8. The restoration of the Jewish temple was secretly connected with the ruin of the Christian church. Julian still continued to maintain the freedom of religious worship, but he determined to deprive the Christians of all the honours and advantages which rendered them respectable in the eyes of the world. He affected to pity the unhappy Christians, who were mistaken in the most important object of their lives; but his pity was degraded by contempt, his contempt was embittered by hatred; and the sentiments of Julian were expressed in a style of sarcastic wit, which inflicts a deep and deadly wound whenever it issues from the mouth of a sovereign. As he was sensible that the Christians gloried in the name of their Redeemer, he countenanced, and perhaps enjoined, the use of the less honourable appellation of GALILÆANS.† He declared that, by the folly of the Galilæans, whom he describes as a sect of fanatics, contemptible to men and odious to the gods, the empire had been reduced to the brink of destruction. He prohibited them from teaching the arts of grammar and rhetoric, on the ground that, if they refused to adore the gods of Homer and Demosthenes, they ought to content themselves with expounding Luke and Matthew in the churches of the Galilæans.‡ The greater part of the Christian officers were

* xxiii. i.

† The Jewish name for the Christians. The Jews could not employ "Christian," for it reflected on their own hopes of a Messiah. See Krüll, in Kraus, *Real-Encyklopädie der Christlichen Alterthümer*, i. p. 288.

‡ Julian, *Epistulæ*, 42. The dilemma he propounded was: (1) if the Christians think the classics a source of wisdom, let them emulate their religion; (2) if they think them wrong, let them abide by the gospels. This prohibition against teaching must be taken in close connection with *Codex Theodosianus*, 13, 3, 5, which prescribed that all professors should get a diploma from the town councils. This meant that Pagan religion was to be taught with pagan literature, and Christian children were, therefore, by these two regulations, practically debarred from education. See Wordsworth, in *Dict. of Christian Biography*, iii. p. 504; Rendall, *The Emperor Julian—Paganism and Christianity*, pp. 207 and 209.

gradually removed from their employments in the state, the army, and the provinces. The hopes of future candidates were extinguished by the declared partiality of a prince who maliciously reminded them that it was unlawful for a Christian to use the sword, either of justice or of war, and who studiously guarded the camp and the tribunals with the ensigns of idolatry. The powers of government were intrusted to the Pagans, who professed an ardent zeal for the religion of their ancestors; and though Julian himself would not violate the laws of justice and toleration which he himself had so recently established, the provincial ministers of his authority consulted the wishes, rather than the commands, of their sovereign; and ventured to exercise a secret and vexatious tyranny against the sectaries on whom they were not permitted to confer the honours of martyrdom. The most effectual instrument of oppression with which they were armed was the law that obliged the Christians to make full and ample satisfaction for the temples which they had destroyed under the preceding reign. The restitution of those stately structures which had been levelled with the dust, and of the precious ornaments which had been converted to Christian uses, swelled into a very large account of damages and debt. The authors of the injury had neither the ability nor the inclination to discharge this accumulated demand, and the Pagan magistrates, inflamed by zeal and revenge, abused the rigorous privilege of the Roman law, which substitutes, in the place of his inadequate property, the person of the insolvent debtor.* There can be no doubt that in many parts of the empire the Pagans abused, without prudence or remorse, the moment of their prosperity, and that the unhappy objects of their cruelty were released from torture only by death; but the massacre of Alexandria attracts still more attention from the rank of the victims, and the splendour of the capital of Egypt.

Tumults at Alexandria: George of Cappadocia.

§ 9. George, from his parents or his education surnamed the Cappadocian, was of mean origin; and having obtained a lucrative contract to supply the army with bacon, he accumulated wealth by the basest arts of fraud and corruption; but his malversations were so notorious, that George was compelled to escape from the pursuits of justice. After this disgrace he embraced, with real or affected zeal, the profession of Arianism. He was elected the successor of Athanasius in A.D. 357. Each moment of his reign was polluted by cruelty and avarice; and he oppressed with an impartial hand the various inhabitants of his extensive diocese. Under the reign

* At this period of Roman Law the arrest of the insolvent debtor was permitted only on his refusal to cede his goods to the creditor (*cessio bonorum*). The imprisonment itself was the act of the government, private incarceration by the creditor being forbidden. See Bethmann-Hollweg, *Civilprozess*, iii. pp. 317 and 324. The fate of Bishop Mark, of Arethusa, described by Gibbon (*Decline and Fall*, c. 23), was not the consequence of a legal process, but the result of the lawless violence of a mob.

of Constantius he was expelled by the fury, or rather by the justice, of the people; and it was not without a violent struggle that the civil and military powers of the state could restore his authority, and gratify his revenge. The messenger who proclaimed at Alexandria the accession of Julian announced the downfall of the archbishop. George was ignominiously dragged in chains to the public prison, and at the end of 24 days was torn to pieces by the fury of the multitude, who, impatient of the tedious forms of judicial proceedings, forced open the prison (December 24, A.D. 361). The meritorious death of the archbishop obliterated the memory of his life. The rival of Athanasius was dear and sacred to the Arians, and the seeming conversion of those sectaries introduced his worship into the bosom of the catholic church. The odious stranger, disguising every circumstance of time and place, assumed the mask of a martyr, a saint, and a Christian hero; and the infamous George of Cappadocia has been transformed into the renowned St. George of England, the patron of arms, of chivalry, and of the garter.*

Restoration and banishment of Athanasius.

§ 10. After the tumult of Alexandria had subsided, Athanasius, amidst the public acclamations, seated himself on the throne from whence his unworthy competitor had been precipitated: and as the zeal of the archbishop was tempered with discretion, the exercise of his authority tended not to inflame, but to reconcile, the minds of the people (A.D. 362, Feb. 21). But Julian, who despised the Christians, honoured Athanasius with his sincere and peculiar hatred. For his sake alone he introduced an arbitrary distinction, repugnant at least to the spirit of his former declarations. He maintained that the Galilæans whom he had recalled from exile were not restored, by that general indulgence, to the possession of their respective churches; and he expressed his astonishment that a criminal, who had been repeatedly condemned by the judgment of the emperors, should dare to insult the majesty of the laws, and insolently usurp the archiepiscopal throne of Alexandria, without expecting the orders of his sovereign. Athanasius prudently retired to the monasteries of the Desert; eluded, with his usual dexterity, the snares of the enemy; and lived to triumph over the ashes of a prince who, in words of formidable import, had declared his wish that the whole venom of the Galilæan school were contained in the single person of Athanasius.

Julian resolves to march against the Persians.

§ 11. Having thus narrated the attempts of Julian to restore

* The only connection between the ex-bacon-seller of Alexandria and St. George of England, is that both are said to have come from Cappadocia. Cedrenus assigns St. George to the time of Diocletian's persecution (i. p. 464, ed. *Bekker;* cf. p. 523, where "George the Arian" appears in his proper place). It is not improbable that there was an Arian identification of this early martyr with George, Archbishop of Alexandria. See Milner, *Historical Inquiry into the Existence and Character of St. George* (1792). The saint has lately been treated by Görres [*Ritter St. George*, in *Zeitschrift für wissenschaftliche Theologie*, xvi. (1890)].

Paganism and subvert Christianity, we now turn to the other events of his reign. Julian entered Constantinople, as we have already seen, on Dec. 11, A.D. 361. The first few months of rule were devoted to the reformation of the abuses, which had crept into the administration during the feeble reign of his predecessor; but upon the approach of summer he resolved to invade Persia, and to chastise the haughty nation which had so long resisted and insulted the majesty of Rome. A formidable army was destined for this important service, and Julian, marching from Constantinople through the provinces of Asia Minor, arrived at Antioch about eight months after the death of his predecessor. His ardent desire to march into the heart of Persia was checked by the indispensable duty of regulating the state of the empire, by his zeal to revive the worship of the gods, and by the advice of his wisest friends, who represented the necessity of allowing the salutary interval of winter-quarters to restore the exhausted strength of the legions of Gaul and the discipline and spirit of the Eastern troops. Julian was persuaded to fix, till the ensuing spring, his residence at Antioch.

He spends the winter at Antioch: licentious manners of the people at Antioch.

§ 12. If Julian had flattered himself that his personal connection with the capital of the East would be productive of mutual satisfaction to the prince and people, he made a very false estimate of his own character and of the manners of Antioch. The warmth of the climate disposed the natives to the most intemperate enjoyment of tranquillity and opulence, and the lively licentiousness of the Greeks was blended with the hereditary softness of the Syrians. Fashion was the only law, pleasure the only pursuit, and the splendour of dress and furniture was the only distinction of the citizens of Antioch. The arts of luxury were honoured, the serious and manly virtues were the subject of ridicule, and the contempt for female modesty and reverent age announced the universal corruption of the capital of the East. The rustic manners of Julian soon disgusted the delicacy of his subjects, and the effeminate Orientals could neither imitate nor admire the severe simplicity which the emperor always maintained and sometimes affected. The majority of the people supported the glory of the Christian name, which had been first invented by their ancestors:* they contented themselves with disobeying the moral precepts, but they were scrupulously attached to the speculative doctrines of their religion. The hatred which the citizens of Antioch entertained against the austere philosopher, and the apostate from the Christian faith, was still further augmented by a scarcity of corn; and during the licentious days of the Saturnalia, the streets of the city resounded with insolent songs, which derided the laws, the religion, the personal conduct, and even the *beard*, of the emperor. The disciple of Socrates was too deeply affected by these popular insults; but the monarch, endowed with quick sensibility and possessed of absolute power, refused his passions

* Acts of the Apostles, xi. 26.

the gratification of revenge. Instead of abusing or exerting the authority of the state to revenge his personal injuries, Julian contented himself with an inoffensive mode of retaliation, which it would be in the power of few princes to employ. He had been insulted by satires and libels; in his turn he composed, under the title of the *Enemy of the Beard*, an ironical confession of his own faults, and a severe satire of the licentious and effeminate manners of Antioch. This Imperial reply was publicly exposed before the gates of the palace; and the MISOPOGON still remains a singular monument of the resentment, the wit, the humanity, and the indiscretion of Julian.

The sophist Libanius.

§ 13. Yet Antioch possessed one citizen whose genius and virtues might atone, in the opinion of Julian, for the vice and folly of his country. The sophist Libanius was born in the capital of the East; he publicly professed the arts of rhetoric and declamation at Nicomedia, Constantinople, Athens, and, during the remainder of his life, at Antioch. His school was assiduously frequented by the Grecian youth; his disciples, who sometimes exceeded the number of eighty, celebrated their incomparable master; and the jealousy of his rivals, who persecuted him from one city to another, confirmed the favourable opinion which Libanius ostentatiously displayed of his superior merit. When Julian ascended the throne, he declared his impatience to embrace and reward the Syrian sophist, who had preserved in a degenerate age the Grecian purity of taste, of manners, and of religion. The emperor's prepossession was increased and justified by the discreet pride of his favourite. Instead of pressing, with the foremost of the crowd, into the palace of Constantinople, Libanius calmly expected his arrival at Antioch, withdrew from court on the first symptoms of coldness and indifference, required a formal invitation for each visit, and taught his sovereign an important lesson, that he might command the obedience of a subject, but that he must deserve the attachment of a friend. Julian might disdain the acclamations of a venal court who adored the Imperial purple; but he was deeply flattered by the praise, the admonition, the freedom, and the envy of an independent philosopher, who refused his favours, loved his person, celebrated his fame, and protected his memory. The voluminous writings of Libanius still exist; for the most part they are the vain and idle compositions of an orator who cultivated the science of words,—the productions of a recluse student, whose mind, regardless of his contemporaries, was incessantly fixed on the Trojan war and the Athenian commonwealth. Yet the sophist of Antioch sometimes descended from this imaginary elevation; he entertained a various and elaborate correspondence; he praised the virtues of his own times; he boldly arraigned the abuses of public and private life; and he eloquently pleaded the cause of Antioch against the just resentment of Julian and Theodosius.*

* The first occasion was in 363, when the people of Antioch feared that

March of Julian from Antioch to Circesium.

§ 14. The martial impatience of Julian urged him to take the field in the beginning of the spring (A.D. 363, March 5). He marched from Antioch through Berœa (Aleppo) and Batnæ to Hierapolis, situated about 24 miles from the Euphrates. He crossed this river on a bridge of boats which was previously constructed, and advanced without delay to Carrhæ, a very ancient city of Mesopotamia, at the distance of fourscore miles from Hierapolis (March 19). The secret of the expedition had hitherto remained in his own breast; but as Carrhæ is the point of separation of the two great roads, he could no longer conceal whether it was his design to attack the dominions of Sapor on the side of the Tigris, or on that of the Euphrates. The emperor detached an army of 30,000 men, under the command of his kinsman Procopius, and of Sebastian, who had been duke of Egypt. They were ordered to direct their march towards Nisibis, and to secure the frontier from the desultory incursions of the enemy, before they attempted the passage of the Tigris. Their subsequent operations were left to the discretion of the generals; but Julian expected that, after wasting with fire and sword the fertile districts of Media and Adiabene, they might arrive under the walls of Ctesiphon about the same time that he himself, advancing with equal steps along the banks of the Euphrates, should besiege the capital of the Persian monarchy. The success of this well-concerted plan depended, in a great measure, on the powerful and ready assistance of Arsaces king of Armenia, who, without exposing the safety of his own dominions, might detach an army of 4000 horse and 20,000 foot to the assistance of the Romans. But the pusillanimous monarch was averse to any enterprise of danger and glory, and could disguise his timid indolence by the more decent excuses of religion and gratitude. He expressed a pious attachment to the memory of Constantius, from whose hands he had received in marriage Olympias, the daughter of the præfect Ablavius. He professed the Christian religion; he reigned over a nation of Christians; and he was restrained, by every principle of conscience and interest, from contributing to the victory which would consummate the ruin of the church.

The military dispositions of Julian were skilfully contrived to deceive the spies and to divert the attention of Sapor. The legions appeared to direct their march towards Nisibis and the Tigris. On a sudden they wheeled to the right, traversed the level and naked plain of Carrhæ, and reached, on the third day, the banks of the Euphrates, where the strong town of Nicephorium, or Callinicum, had been founded by the Macedonian kings. From thence the Emperor pursued his march, above 90 miles, along the winding stream of the Euphrates, till at

Julian, in his resentment, would take from the town its position of *metropolis* and transfer his capital to Tarsus. The second was the great riot in 387, caused by the requisitions of Theodosius, in which the statues of the emperor were destroyed.

length, about one month after his departure from Antioch, he discovered the towers of Circesium, the extreme limit of the Roman dominions. The army of Julian, the most numerous that any of the Cæsars had ever led against Persia, consisted of 65,000 effective and well-disciplined soldiers. The broad channel of the Euphrates was crowded by a fleet of 1100 ships, destined to attend the motions and to satisfy the wants of the Roman army. The river Chaboras falls into the Euphrates at Circesium, and, as soon as the trumpet gave the signal of march, the Romans passed the little stream which separated two mighty and hostile empires (April 6).

His march through Mesopotamia.

§ 15. The country which the Romans traversed from the Chaboras to the cultivated lands of Assyria may be considered as a part of the desert of Arabia, a dry and barren waste, which could never be improved by the most powerful arts of human industry. Julian marched over the same ground which had been trod above 700 years before by the footsteps of the younger Cyrus, and which is described by one of the companions of his expedition, the sage and heroic Xenophon.* The sandy plains of Mesopotamia were abandoned to the antelopes and wild asses of the desert, but a variety of populous towns and villages were pleasantly situated on the banks of the Euphrates and in the islands which are occasionally formed by that river. The city of Anah, or Anatha, which consists of a small island in the midst, and two fruitful spots on either side, of the Euphrates, yielded to Julian; but the impregnable fortress of Thilutha could scorn the menace of a siege, and the emperor would not delay his march by a vain attempt to take it. Upon arriving at Macepracta the Romans perceived the ruins of the wall which had been constructed by the ancient kings of Assyria to secure their dominions from the incursions of the Medes. These preliminaries of the expedition of Julian appear to have employed about fifteen days, and we may compute near 300 miles from the fortress of Circesium to the wall of Macepracta.

His march through Assyria.

§ 16. The fertile province of Assyria, which stretched beyond the Tigris, as far as the mountains of Media, extended about 400 miles from the ancient wall of Macepracta to the territory of Basrah, where the united streams of the Euphrates and Tigris discharged themselves into the Persian Gulf. The whole country might have claimed the peculiar name of Mesopotamia, as the two rivers, which are never more distant than 50, approach, between Bagdad and Babylon, within 25 miles of each other. The fields of Assyria were devoted by Julian to the calamities of war; and the philosopher retaliated on a guiltless people the acts of rapine and cruelty which had been committed by their haughty master in the Roman provinces. Two cities of Assyria presumed to resist the arms of the Roman emperor; and they both paid the severe penalty of their rashness. Perisabor, or Anbar, a large and populous city on the Euphrates,

* Anabasis, i. 5.

and Maozamaltcha, a strong fortress upon the Tigris, situate only 11 miles from the royal residence of Ctesiphon, were both taken by storm, and levelled to the ground. Julian had thus triumphed over all the obstacles that opposed his march to the gates of Ctesiphon. But the reduction, or even the siege, of the capital of Persia was still at a distance: nor can the military conduct of the emperor be clearly apprehended without a knowledge of the country which was the theatre of his bold and skilful operations. Twenty miles to the south of Bagdad, and on the eastern bank of the Tigris, the curiosity of travellers has observed some ruins of the palaces of Ctesiphon, which in the time of Julian was a great and populous city. The name and glory of the adjacent Seleucia were for ever extinguished; and the only remaining quarter of that Greek colony had resumed, with the Assyrian language and manners, the primitive appellation of Coche. Coche was situate on the western side of the Tigris; but it was naturally considered as a suburb of Ctesiphon, with which we may suppose it to have been connected by a permanent bridge of boats. The united parts contributed to form the common epithet of Al Modain, THE CITIES, which the Orientals have bestowed on the winter residence of the Sasanidæ; and the whole circumference of the Persian capital was strongly fortified by the waters of the river, by lofty walls, and by impracticable morasses. Near the ruins of Seleucia the camp of Julian was fixed, and secured by a ditch and rampart against the sallies of the numerous and enterprising garrison of Coche. The Nahar-Malcha, or royal canal, flows from the Euphrates into the Tigris at a small distance *below* the great city. If the Roman fleet had followed this canal, the intermediate situation of Coche would have separated the fleet and army of Julian; and the rash attempt of steering against the current of the Tigris, and forcing their way through the midst of a hostile capital, must have been attended with the total destruction of the Roman navy. The prudence of the emperor foresaw the danger, and provided the remedy. As he had minutely studied the operations of Trajan in the same country, he soon recollected that his warlike predecessor had dug a new and navigable canal, which, leaving Coche on the right hand, conveyed the waters of the Nahar-Malcha into the river Tigris at some distance *above* the cities. From the information of the peasants Julian ascertained the vestiges of this ancient work, which were almost obliterated by design or accident. By the indefatigable labour of the soldiers a broad and deep channel was speedily prepared for the reception of the Euphrates. A strong dyke was constructed to interrupt the ordinary current of the Nahar-Malcha: a flood of waters rushed impetuously into their new bed; and the Roman fleet, steering their triumphant course into the Tigris, derided the vain and ineffectual barriers which the Persians of Ctesiphon had erected to oppose their passage.

He crosses the Tigris.

§ 17. As it became necessary to transport the Roman army over the Tigris, another labour presented itself, of less toil, but of more danger, than the preceding expedition. The stream was broad and rapid, the ascent steep and difficult; and the entrenchments which had been formed on the ridge of the opposite bank were lined with a numerous army. In the presence of such an enemy the construction of a bridge was impracticable; but in the dead of night he transported a large detachment of troops across the river, defeated the Persians upon the opposite bank, and pursued them to the gates of Ctesiphon. The victory was followed by a solemn sacrifice to the god of war, but the appearances of the victims threatened the most inauspicious events; and Julian soon discovered, by less ambiguous signs, that he had now reached the term of his prosperity.

While the Persians beheld from the walls of Ctesiphon the desolation of the adjacent country, Julian cast many an anxious look towards the North, in full expectation that, as he himself had victoriously penetrated to the capital of Sapor, the march and junction of his lieutenants, Sebastian and Procopius, would be executed with the same courage and diligence. His expectations were disappointed by the treachery of the Armenian king, who permitted, and most probably directed, the desertion of his auxiliary troops from the camp of the Romans; and by the dissensions of the two generals, who were incapable of forming or executing any plan for the public service. When the emperor had relinquished the hope of this important reinforcement, he condescended to hold a council of war, and approved, after a full debate, the sentiment of those generals who dissuaded the siege of Ctesiphon, as a fruitless and pernicious undertaking. At the same time he rejected, with obstinacy and disdain, the most flattering offers of a negotiation of peace.

He burns his fleet and marches against Sapor.

§ 18. The honour, as well as interest, of Julian, forbade him to consume his time under the impregnable walls of Ctesiphon. Instead of confining his servile march to the banks of the Euphrates and Tigris, he resolved to imitate the adventurous spirit of Alexander, and boldly to advance into the inland provinces, till he forced his rival to contend with him, perhaps in the plains of Arbela, for the empire of Asia. The magnanimity of Julian was applauded and betrayed by the arts of a noble Persian, who, in the cause of his country, had generously submitted to act a part full of danger, of falsehood, and of shame. With a train of faithful followers he deserted to the Imperial camp; exposed, in a specious tale, the injuries which he had sustained; and confidently offered himself as the hostage and guide of the Roman march.* The credulous Julian, receiving

* Stories of deserters, told to explain disasters to the Roman arms, are always rather doubtful: *e.g.* that told in connection with Crassus' defeat at Carrhæ has been questioned. But, if we accept the existence of this deserter, it does not follow that he determined the direction of Julian's march. See Schiller, *Geschichte*, III. iii. 26.

the traitor into his bosom, was persuaded to issue an hasty order, which, in the opinion of mankind, appeared to arraign his prudence and to endanger his safety. He destroyed in a single hour the whole navy, which had been transported above 500 miles, at so great an expense of toil, of treasure, and of blood. A few small vessels were saved, to accompany, on carriages, the march of the army, and to form occasional bridges for the passage of the rivers. A supply of twenty days' provisions was reserved for the use of the soldiers, and the rest of the magazines, with a fleet of 1100 vessels, which rode at anchor in the Tigris, were abandoned to the flames by the absolute command of the emperor. The Christian bishops, Gregory and Augustin, insult the madness of the apostate, who executed, with his own hands, the sentence of divine justice. Yet there are not wanting some specious, and perhaps solid, reasons, which might justify the resolution of Julian. The navigation of the Euphrates never ascended above Babylon,* nor that of the Tigris above Opis. The distance of the last-mentioned city from the Roman camp was not very considerable; and Julian must soon have renounced the vain and impracticable attempt of forcing upwards a great fleet against the stream of a rapid river, which in several places was embarrassed by natural or artificial cataracts. If, moreover, it was advisable to advance into the inland country, the destruction of the fleet and magazines was the only measure which could save that valuable prize from the hands of the numerous and active troops which might suddenly be poured from the gates of Ctesiphon.

The extensive region that lies between the river Tigris and the mountains of Media was filled with villages and towns; and the fertile soil, for the most part, was in a very improved state of cultivation. But on the approach of the Romans this rich and smiling prospect was instantly blasted. Wherever they moved, the inhabitants deserted the open villages and took shelter in the fortified towns; the cattle was driven away; the grass and ripe corn were consumed with fire; and, as soon as the flames had subsided which interrupted the march of Julian, he beheld the melancholy face of a smoking and naked desert. The emperor was soon reduced to the scanty stock of provisions which continually wasted in his hands. Before they were entirely consumed he might still have reached the wealthy and unwarlike cities of Ecbatana or Susa by the effort of a rapid and well-directed march; but he was deprived of this last resource by his ignorance of the roads and by the perfidy of his guides. The Romans wandered several days in the country to the eastward of Bagdad; the Persian deserter, who had artfully led them into the snare, escaped from their resentment; and his followers, as soon as they were put to the torture, confessed the secret of the conspiracy. The visionary conquests of Hyrcania and India, which had so long amused, now tormented,

* Except for the willow boats described by Herodotus, i. 194.

the mind of Julian. Conscious that his own imprudence was the cause of the public distress, he anxiously balanced the hopes of safety or success without obtaining a satisfactory answer either from gods or men. At length, as the only practicable measure, he embraced the resolution of directing his steps towards the banks of the Tigris, with the design of saving the army by a hasty march to the confines of Corduene, a fertile and friendly province, which acknowledged the sovereignty of Rome. The desponding troops obeyed the signal of the retreat (June 16), only 70 days after they had passed the Chaboras with the sanguine expectation of subverting the throne of Persia.

Retreat of the Romans: death of Julian.

§ 19. As soon as the Romans commenced their retreat, they were surrounded by the whole force of the Persian army, and had to fight their way step by step. The repeated attacks of the Persians were repulsed with firmness; but the hardy veterans, accustomed to the cold climate of Gaul and Germany, fainted under the sultry heat of an Assyrian summer; their vigour was exhausted by the incessant repetition of march and combat; and the progress of the army was suspended by the precautions of a slow and dangerous retreat in the presence of an active enemy. Every day, every hour, as the supply diminished, the value and price of subsistence increased in the Roman camp, and the Romans began to entertain the most gloomy apprehensions that, before they could reach the frontiers of the empire, they should all perish, either by famine or by the sword of the barbarians.

Under these trying circumstances Julian was distinguished by his personal bravery, and by the skill with which he led his forces. One day he had succeeded in driving off the Persians, who discharged, as they fled, a cloud of darts and arrows. The heat of the weather had tempted the emperor to lay aside his cuirass; and a javelin, after razing the skin of his arm, transpierced the ribs, and fixed in the inferior part of the liver. Julian attempted to draw the deadly weapon from his side; but his fingers were cut by the sharpness of the steel, and he fell senseless from his horse. His guards flew to his relief; and the wounded emperor was gently raised from the ground, and conveyed out of the tumult of the battle into an adjacent tent. The first words that Julian uttered, after his recovery from the fainting fit into which he had been thrown by loss of blood, were expressive of his martial spirit. He called for his horse and arms, and was impatient to rush into the battle. His remaining strength was exhausted by the painful effort; and the surgeons, who examined his wound, discovered the symptoms of approaching death. He employed the awful moments with the firm temper of a hero and a sage; the philosophers who had accompanied him in this fatal expedition compared the tent of Julian with the prison of Socrates; and the spectators, whom duty, or friendship, or curiosity, had assembled round his couch, listened with respectful sorrow to the funeral oration of their dying emperor. He reproved

the immoderate grief of the spectators; and conjured them not to disgrace, by unmanly tears, the fate of a prince who in a few moments would be united with heaven and with the stars. The efforts which he made most probably hastened his death. His wound began to bleed with fresh violence: his respiration was embarrassed by the swelling of the veins: he called for a draught of cold water, and, as soon as he had drunk it, expired without pain, about the hour of midnight. Such was the end of that extraordinary man, in the 32nd year of his age, after a reign of one year and about eight months from the death of Constantius (A.D. 363, June 26). In his last moments he displayed, perhaps with some ostentation, the love of virtue and of fame, which had been the ruling passions of his life.

Election of the emperor JOVIAN: disgraceful treaty with the Persians.

§ 20. The unexpected death of Julian left the empire without a master, and without an heir, in a state of perplexity and danger which, in the space of fourscore years, had never been experienced since the election of Diocletian. The situation of a famished army, encompassed on all sides by a host of barbarians, shortened the moments of grief and deliberation. In this scene of terror and distress, the body of the deceased prince, according to his own directions, was decently embalmed; and, at the dawn of day, the generals convened a military senate, at which the commanders of the legions, and the officers both of cavalry and infantry, were invited to assist. Three or four hours of the night had not passed away without some secret cabals; and when the election of an emperor was proposed, the spirit of faction began to agitate the assembly. The superior virtues of Sallust could alone reconcile their divisions and unite their suffrages; and the venerable præfect would immediately have been declared the successor of Julian, if he himself, with sincere and modest firmness, had not alleged his age and infirmities, so unequal to the weight of the diadem. While the generals debated, a few voices saluted Jovian, who was no more than *first* of the domestics, with the names of Emperor and Augustus.* The tumultuary acclamation was instantly repeated by the guards who surrounded the tent, and passed, in a few minutes, to the extremities of the line. The new prince, astonished with his own fortune, was hastily invested with the Imperial ornaments, and received an oath of fidelity from the generals, whose favour and protection he so lately solicited. A few hours after the death of Julian the Romans continued their march; and, though

* It is possible that he owed his election to a mistake. Another, and far more distinguished Jovian, who was *primus inter notarios*, and had distinguished himself at the battle of Maiozamalcha, had been mentioned as a candidate, and the hastiness of the election may have led to a wrong identification (Ammianus, xxv. 8, 18). This unfortunate namesake of the emperor was put to death almost immediately. The reasons for the election of the successful Jovian were evidently a puzzle to his contemporaries. It was supposed that some of the acclamations with which the proposal for his election was received were due to a confusion of his name with that of Julian (Ammianus, xxv. 5, 5).

attacked with redoubled fury by the Persians, who were elated by the death of Julian, they repulsed the enemy, and after marching and fighting a long summer's day, arrived, in the evening, at Samara, on the banks of the Tigris, about 100 miles above Ctesiphon. From Samara they continued their march to Dura, also on the Tigris, which they reached four days after the death of Julian, although incessantly exposed to the vexatious pursuit of the Persians. Here the fainting spirits of the Romans were revived by the sound of peace. The transient presumption of Sapor had vanished: he observed, with serious concern, that, in the repetition of doubtful combats, he had lost his most faithful and intrepid nobles, his bravest troops, and the greatest part of his train of elephants: and the experienced monarch feared to provoke the resistance of despair, the vicissitudes of fortune, and the unexhausted powers of the Roman empire, which might soon advance to relieve, or to revenge, the successor of Julian. Two satraps* appeared in the camp of Jovian, and declared that the clemency of their sovereign was not averse to signify the conditions on which he would consent to spare and to dismiss the Cæsar with the relics of his captive army. The hopes of safety subdued the firmness of the Romans; and the five provinces beyond the Tigris, which had been ceded by the grandfather of Sapor, were restored to the Persian monarch. He acquired, by a single article, the impregnable city of Nisibis, which had sustained, in three successive sieges, the effort of his arms. Singara, and the castle of the Moors, one of the strongest places of Mesopotamia, were likewise dismembered from the empire. It was considered as an indulgence that the inhabitants of those fortresses were permitted to retire with their effects; but the conqueror rigorously insisted that the Romans should for ever abandon the king and kingdom of Armenia. A peace, or rather a long truce, of thirty years, was stipulated between the hostile nations. The conclusion of so ignominious a treaty was facilitated by the private ambition of Jovian. The obscure domestic, exalted to the throne by fortune rather than by merit, was impatient to escape from the hands of the Persians, that he might prevent the designs of Procopius, who commanded the army of Mesopotamia, and establish his doubtful reign over the legions and provinces which were still ignorant of the hasty and tumultuous choice of the camp beyond the Tigris.

Jovian continues his retreat to Nisibis: he evacuates Nisibis and restores the five provinces to the Persians.

§ 21. The Romans were now allowed to pass the Tigris unmolested; but in a laborious march of 200 miles over the plains of Mesopotamia they endured the last extremities of thirst and hunger. They were obliged to traverse a sandy desert, which, in the extent of 70 miles, did not afford a single blade of sweet grass nor a single spring of fresh water, and the rest of the inhospitable waste was untrod by the footsteps either of friends

* One of these was "the Surena," an official who stood next in dignity to the king (Ammianus, xxv. 7; cf. xxiii. 2, 4, "Surena post regem apud Persas promeritæ dignitatis").

or enemies. The remains of the army at length reposed themselves under the walls of Nisibis. When the conditions of the ignominious treaty became known, the minds of the people were filled with astonishment and grief, with indignation and terror. The deep and dangerous question, how far the public faith should be observed when it becomes incompatible with the public safety, was freely agitated in popular conversation, and some hopes were entertained that the emperor would redeem his pusillanimous behavour by a splendid act of patriotic perfidy. But the same motives which had forced him to subscribe, now pressed him to execute the treaty of peace. He was impatient to secure an empire at the expense of a few provinces, and the respectable names of religion and honour concealed the personal fears and the ambition of Jovian. The inhabitants of Nisibis, notwithstanding their entreaties and remonstrances, were compelled to evacuate their city, and were removed to a new-built quarter of Amida, which rising city, with the reinforcement of a very considerable colony, soon recovered its former splendour and became the capital of Mesopotamia. Similar orders were despatched by the emperor for the evacuation of Singara and the castle of the Moors, and for the restitution of the five provinces beyond the Tigris. Sapor enjoyed the glory and the fruits of his victory; and this ignominious peace has justly been considered as a memorable æra in the decline and fall of the Roman empire. The predecessors of Jovian had sometimes relinquished the dominion of distant and unprofitable provinces; but, since the foundation of the city, the genius of Rome, the god Terminus, who guarded the boundaries of the republic, had never retired before the sword of a victorious enemy.

Reflections on the death and funeral of Julian.

§ 22. After Jovian had performed those engagements which the voice of his people might have tempted him to violate, he hastened away from the scene of his disgrace, and proceeded with his whole court to enjoy the luxury of Antioch. Without consulting the dictates of religious zeal, he was prompted, by humanity and gratitude, to bestow the last honours on the remains of his deceased sovereign. The corpse of Julian was transported from Nisibis to Tarsus, in a slow march of fifteen days, and, as it passed through the cities of the East, was saluted by the hostile factions with mournful lamentations and clamorous insults. It was an ancient custom in the funerals, as well as in the triumphs of the Romans, that the voice of praise should be corrected by that of satire and ridicule, and that, in the midst of the splendid pageants which displayed the glory of the living or of the dead, their imperfections should not be concealed from the eyes of the world. This custom was practised in the funeral of Julian. The comedians, who resented his contempt and aversion for the theatre, exhibited, with the applause of a Christian audience, the lively and exaggerated representation of the faults and follies of the deceased emperor. His various character and singular manners afforded an ample scope for

pleasantry and ridicule. In the exercise of his uncommon talents he often descended below the majesty of his rank. Alexander was transformed into Diogenes,—the philosopher was degraded into a priest. The purity of his virtue was sullied by excessive vanity; his superstition disturbed the peace and endangered the safety of a mighty empire; and his irregular sallies were the less entitled to indulgence, as they appeared to be the laborious efforts of art, or even of affectation. The remains of Julian were interred at Tarsus in Cilicia; but his stately tomb, which arose in that city on the banks of the cold and limpid Cydnus, was displeasing to the faithful friends who loved and revered the memory of that extraordinary man. The philosopher expressed a very reasonable wish that the disciple of Plato might have reposed amidst the groves of the Academy, while the soldier exclaimed, in bolder accents, that the ashes of Julian should have been mingled with those of Cæsar, in the field of Mars, and among the ancient monuments of Roman virtue. The history of princes does not very frequently renew the example of a similar competition.

[Schiller, *Geschichte der Römischen Kaiserzeit*, III. iii. § 26; Ranke, *Weltgeschichte*, IV. i. cc. 3 and 4; Rendall, *The Emperor Julian—Paganism and Christianity*; Gardner (A.), *Julian, Philosopher and Emperor*; Rode, *Geschichte der Reaction Kaiser Julians gegen die Christliche Kirche*; Schwarz, *de vita et scriptis Juliani imperatoris*; article Julian, by J. Wordsworth, in Smith and Wace's *Dictionary of Christian Biography*, which contains a good critique of the very large literature that has gathered round the emperor.]

Julian.

Valentinian I.

## CHAPTER XIII.

### THE REIGNS OF JOVIAN AND VALENTINIAN I.

§ 1. Jovian restores Christianity as the established religion, but proclaims universal toleration. § 2. Death of Jovian. § 3. Election of VALENTINIAN: he associates his brother VALENS in the empire. § 4. Final division of the Eastern and Western empires. § 5. Revolt and death of Procopius. § 6. Character and government of Valentinian and Valens. § 7. Valentinian maintains religious toleration. § 8. Valens professes Arianism and persecutes the Catholics. § 9. Foreign wars. § 10. Wars with the Germans: the Alemanni, Burgundians, and Saxons. § 11. War in Britain: the Scots and Picts. § 12. War in Africa: revolt and death of Firmus: execution of Theodosius. § 13. War on the Danube: the Gothic war. § 14. War of the Quadi and Sarmatians: death of Valentinian. § 15. Succession of GRATIAN and VALENTINIAN II.

Jovian restores Christianity as the established religion, but proclaims universal toleration.

§ 1. THE death of Julian had left the public affairs of the empire in a very doubtful and dangerous situation. The Roman army was saved by an inglorious, perhaps a necessary, treaty; and the first moments of peace were consecrated by Jovian to restore the domestic tranquillity of the church and state. Jovian was educated in the profession of Christianity; and as he marched from Nisibis to Antioch, the banner of the Cross, the LABARUM of Constantine, which was again displayed at the head of the legions, announced to the people the faith of their new emperor. As soon as he ascended the throne he transmitted a circular epistle to all the governors of provinces, in which he confessed the divine truth and secured the legal establishment of the Christian religion. He showed his attachment to the Nicene Creed by the reverence which he expressed for the *celestial* virtues of the great Athanasius. The intrepid veteran of the faith, at the age of 70, had issued from his retreat on the first intelligence of the tyrant's death. The acclamations of the people seated him once more on the archiepiscopal throne, and he wisely accepted or anticipated the invitation of Jovian. The venerable figure of Athanasius, his

calm courage and insinuating eloquence, sustained the reputation which he had already acquired in the courts of four successive princes. As soon as he had gained the confidence and secured the faith of the Christian emperor, he returned in triumph to his diocese, and continued, with mature counsels and undiminished vigour, to direct, ten years longer, the ecclesiastical government of Alexandria, Egypt, and the catholic church. Under the reign of Jovian Christianity obtained an easy and lasting victory; and as soon as the smile of royal patronage was withdrawn, the genius of Paganism, which had been fondly raised and cherished by the arts of Julian, sunk irrecoverably in the dust. But the Pagans were not persecuted; and Jovian published a wise and gracious edict of toleration, in which he explicitly declared that, although he should severely punish the sacrilegious rites of magic, his subjects might exercise, with freedom and safety, the ceremonies of the ancient worship.*

Death of Jovian.

§ 2. After remaining six weeks at Antioch, Jovian continued his march towards Constantinople, but Dadastana, an obscure town, almost at an equal distance between Ancyra and Nicæa, was marked for the fatal term of his journey and his life. After indulging himself with a plentiful supper, he retired to rest, and the next morning the emperor Jovian was found dead in his bed (A.D. 364, Feb. 17). The cause of this sudden death was variously understood. By some it was ascribed to the consequences of an indigestion, occasioned either by the quantity of the wine or the quality of the mushrooms which he had swallowed in the evening. According to others, he was suffocated in his sleep by the vapour of charcoal, which extracted from the walls of the apartment the unwholesome moisture of the fresh plaster. But the want of a regular inquiry into the death of a prince whose reign and person were soon forgotten appears to have been the only circumstance which countenanced the malicious whispers of poison and domestic guilt.

Election of VALENTINIAN: he associates his brother VALENS in the empire.

§ 3. After the death of Jovian the throne of the Roman world remained eight days without a master. The ministers and generals still continued to meet in council, to exercise their respective functions, to maintain the public order, and peaceably to conduct the army to the city of Nicæa in Bithynia, which was chosen for the place of the election. In a solemn assembly of the civil and military powers of the empire, the diadem was again unanimously offered to the præfect Sallust. He enjoyed the glory of a second refusal. Several candidates were proposed and successively rejected: but as soon as the name of Valentinian was pronounced, the merit of that officer

* The evidence for this Edict of Toleration is very slight. It is contained in a passage of Themistius (*Oratio*, v. pp. 63-71, especially 67 B and 68 B). But it is questionable whether this passage assumes such an edict. It contains an exhortation to it; but Themistius seems to presume a repression of paganism.

united the suffrages of the whole assembly, and obtained the sincere approbation of Sallust himself (Feb. 25). Valentinian was the son of Count Gratian, a native of Cibalis, in Pannonia, who from an obscure condition had raised himself to the military commands of Africa and Britain. The rank and services of Gratian contributed to smooth the first steps of the promotion of his son, and afforded him an early opportunity of displaying those solid and useful qualifications which raised his character above the ordinary level of his fellow-soldiers. The person of Valentinian was tall, graceful, and majestic. His manly countenance, deeply marked with the impression of sense and spirit, inspired his friends with awe, and his enemies with fear; and, to second the efforts of his undaunted courage, the son of Gratian had inherited the advantages of a strong and healthy constitution. By the habits of chastity and temperance Valentinian preserved his own and the public esteem. In the time of Julian he provoked the danger of disgrace by the contempt which he publicly expressed for the reigning religion. He was pardoned, however, and still employed, by a prince who esteemed his merit, and in the various events of the Persian war he improved the reputation which he had already acquired on the banks of the Rhine. Valentinian was now in the 44th year of his age; and 31 days after his own elevation he bestowed the title of Augustus on his brother Valens (March 28), who was in his 36th year. The abilities of Valens had never been exercised in any employment, military or civil, and his character had not inspired the world with any sanguine expectations. He possessed, however, one quality which recommended him to Valentinian, and preserved the domestic peace of the empire: a devout and grateful attachment to his benefactor, whose superiority of genius, as well as of authority, Valens humbly and cheerfully acknowledged in every action of his life.

Final division of the Eastern and Western empires.

§ 4. After remaining a short time at Constantinople, the two emperors set out for the Illyrian provinces, and in the neighbourhood of Naissus they executed the solemn and final division of the Roman empire (A.D. 364, June). Valentinian bestowed on his brother the rich præfecture of the *East*, from the Lower Danube to the confines of Persia; whilst he reserved for his immediate government the warlike præfectures of *Illyricum*, *Italy*, and *Gaul*,* from the extremity of Greece to the Caledonian rampart, and from the rampart of Caledonia to the foot of Mount Atlas. The provincial administration remained on its former basis, but a double supply of generals and magistrates was required for two councils and two courts; the division was made with a just regard to their peculiar merit and situation, and eight master-generals were soon created either of the cavalry or infantry.† When this important business had been amicably transacted, Valentinian and Valens embraced for the last time. The emperor of the West established his temporary

* See ch. x. § 13. † See ch. x. § 16.

residence at Milan, and the emperor of the East returned to Constantinople to assume the dominion of fifty provinces, of whose language he was totally ignorant.

Revolt and death of Procopius.

§ 5. The tranquillity of the East was soon disturbed by rebellion, and the throne of Valens was threatened by the daring attempts of a rival whose affinity to the emperor Julian was his sole merit, and had been his only crime. Procopius had endeavoured, by his dutiful and submissive behaviour, to disarm the jealousy both of Jovian and Valentinian, and had retired, with his wife and family, to cultivate the ample patrimony which he possessed in the province of Cappadocia. These useful and innocent occupations were interrupted by the appearance of an officer with a band of soldiers, who, in the name of his new sovereigns, Valentinian and Valens, was despatched to conduct the unfortunate Procopius either to a perpetual prison or an ignominious death. His presence of mind procured him a longer respite and a more splendid fate. Without presuming to dispute the royal mandate, he requested the indulgence of a few moments to embrace his weeping family, and, while the vigilance of his guards was relaxed by a plentiful entertainment, he dexterously escaped to the sea-coast of the Euxine, from whence he passed over to the country of Bosporus. After remaining several months in concealment he ventured into the capital, and, during the absence of Valens in Syria, was proclaimed emperor by his friends, and was saluted by the soldiers with shouts of joy and vows of fidelity (A.D. 365, Sept. 28). At first everything seemed to promise success to the usurper. The people regretted the justice and the abilities of Sallust, who had been imprudently dismissed from the præfecture of the East. They despised the character of Valens, which was rude without vigour, and feeble without mildness. The large bodies of troops stationed in the cities of Thrace and the fortresses of the Lower Danube were gradually involved in the guilt of rebellion, and the Gothic princes consented to supply the sovereign of Constantinople with the formidable strength of several thousand auxiliaries. His generals passed the Bosporus, and subdued, without an effort, the unarmed but wealthy provinces of Bithynia and Asia. Valens began to despair of his life and fortune, and proposed to negotiate with the usurper. The timid monarch was saved from disgrace and ruin by the firmness of his ministers, and their abilities soon decided in his favour the event of the civil war. Sallust was restored to the præfecture of the East; and in two engagements the unfortunate Procopius was deserted by his troops, who were seduced by the instructions and example of their perfidious officers. After wandering some time among the woods and mountains of Phrygia, he was betrayed by his desponding followers, conducted to the Imperial camp, and immediately beheaded (A.D. 366, May 27).

Character and govern-

§ 6. The fall of the usurper was followed by many acts of

cruelty; and indeed the whole reign of the two brothers was disgraced by frequent executions, both at Rome and Antioch. Valens was of a timid, and Valentinian of a choleric, disposition. An anxious regard to his personal safety was the ruling principle of the administration of Valens. His favourites obtained, by the privilege of rapine and confiscation, the wealth which his economy would have refused. They urged, with persuasive eloquence, *that*, in all cases of treason, suspicion is equivalent to proof; *that* the power supposes the intention of mischief; *that* the intention is not less criminal than the act; and *that* a subject no longer deserves to live, if his life may threaten the safety, or disturb the repose, of his sovereign. The judgment of Valentinian was sometimes deceived, and his confidence abused; but he would have silenced the informers with a contemptuous smile, had they presumed to alarm his fortitude by the sound of danger. They praised his inflexible love of justice; and, in the pursuit of justice, the emperor was easily tempted to consider clemency as a weakness, and passion as a virtue. As long as he wrestled with his equals in the bold competition of an active and ambitious life, Valentinian was seldom injured, and never insulted, with impunity; and the proudest and most powerful generals were apprehensive of provoking the resentment of a fearless soldier. After he became master of the world he unfortunately forgot that where no resistance can be made no courage can be exerted; and instead of consulting the dictates of reason and magnanimity, he indulged the furious emotions of his temper, at a time when they were disgraceful to himself, and fatal to the defenceless objects of his displeasure. In the government of his household, or of his empire, slight, or even imaginary offences—a hasty word, a casual omission, an involuntary delay—were chastised by a sentence of immediate death. The expressions which issued the most readily from the mouth of the emperor of the West were, "Strike off his head;"—"Burn him alive;"—"Let him be beaten with clubs till he expires;" and his most favoured ministers soon understood that, by a rash attempt to dispute or suspend the execution of his sanguinary commands, they might involve themselves in the guilt and punishment of disobedience. The repeated gratification of this savage justice hardened the mind of Valentinian against pity and remorse; and the sallies of passion were confirmed by the habits of cruelty. But in the calmer moments of reflection the dispassionate judgment of the Western emperor could clearly perceive, and accurately pursue, his own and the public interest; and the sovereign of the East, who imitated with equal docility the various examples which he received from his elder brother, was sometimes guided by the wisdom and virtue of the præfect Sallust. Both princes invariably retained, in the purple, the chaste and temperate simplicity which had adorned their private life; and under their reign the pleasures of the court never cost the people a blush or a sigh. They gradually reformed many of the abuses of the

ment of Valentinian and Valens.

times of Constantius; judiciously adopted and improved the designs of Julian and his successor; and displayed a style and spirit of legislation which might inspire posterity with the most favourable opinion of their character and government. Valentinian condemned the exposition of new-born infants, and established fourteen skilful physicians, with stipends and privileges, in the fourteen quarters of Rome. He enacted that the arts of rhetoric and grammar should be taught, in the Greek and Latin languages, in the metropolis of every province; and as the size and dignity of the school was usually proportioned to the importance of the city, the academies of Rome and Constantinople claimed a just pre-eminence. The institutions of Valentinian contributed to secure the benefits of peace and plenty; and the cities were guarded by the establishment of the *Defensors*, freely elected as the tribunes and advocates of the people, to support their rights, and to expose their grievances, before the tribunals of the civil magistrates, or even at the foot of the Imperial throne.* The finances were diligently administered by two princes who had been so long accustomed to the rigid economy of a private fortune.

Valentinian maintains religious toleration.

§ 7. But the most honourable circumstance of the character of Valentinian is the firm and temperate impartiality which he uniformly preserved in an age of religious contention. Under the reign of an apostate, he had signalized his zeal for the honour of Christianity: he allowed to his subjects the privilege which he had assumed for himself; and they might accept, with gratitude and confidence, the general toleration which was granted by a prince addicted to passion, but incapable of fear or of disguise. The Pagans, the Jews, and all the various sects which acknowledged the divine authority of Christ, were protected by the laws from arbitrary power or popular insult; nor was any mode of worship prohibited by Valentinian, except those secret and criminal practices which abused the name of religion for the dark purposes of vice and disorder.

Valens professes Arianism and persecutes the Catholics.

§ 8. In the West the Arian party was insignificant, and the friend of toleration was placed at a distance from the fiercest controversies. But in the provinces of the East, the strength and

* The institution of the *Defensores civitatium* was an honest attempt to save the municipal towns from the oppression of the Imperial officials. They are requested, in an edict addressed to one of them in A.D. 385, by Theodosius I., Gratian and Valentinian II. (Codex Justinianus, i. 55) to act as fathers to the *plebs*, to prevent excessive taxation of the rustic and urban folk, to repress the *insolentia* of officials and the *procacitas* of judges. The first trace of their existence appears in a law of 364 A.D. The defensor's tenure of power was for five years (subsequently reduced to two by Justinian). He was chosen by the whole community, though his name was submitted to the *præfectus prætorio* for approval, and he might *not* be selected from the *decuriones*—a rule meant to secure his liberty of action. See A. Desjardins, *de civitatium defensoribus sub imperio Romano;* Hodgkin, *Italy and her Invaders*, i. p. 626; Willems, *Le droit public Romain*, p. 588.

numbers of the hostile factions were more equally balanced. Athanasius still reigned at Alexandria; the thrones of Constantinople and Antioch were occupied by Arian prelates; and every episcopal vacancy was the occasion of a popular tumult. Valens was baptized by Eudoxus, the Arian bishop of the Imperial city (A.D. 367); and, after he had taken this decisive step, it was extremely difficult for him to preserve either the virtue, or the reputation of impartiality. He resigned his conscience to the direction of his ecclesiastical guides, and his feeble mind was easily persuaded to oppress the Athanasian party. The enemies of Athanasius attempted to disturb the last years of his venerable age; and his temporary retreat to his father's sepulchre has been celebrated as a fifth exile. But the zeal of a great people, who instantly flew to arms, intimidated the præfect: and the archbishop was permitted to end his life in peace and in glory, after a reign of 46 years (May 2, A.D. 373). The death of Athanasius was the signal of the persecution of Egypt; and the Pagan minister of Valens, who forcibly seated the worthless Lucius on the archiepiscopal throne, purchased the favour of the reigning party by the blood and sufferings of their Christian brethren.

Foreign wars.

§ 9. When the suffrage of the generals and of the army committed the sceptre of the Roman empire to the hands of Valentinian, his reputation in arms, his military skill and experience, and his rigid attachment to the forms as well as spirit of ancient discipline, were the principal motives of their judicious choice. As soon as the death of Julian had relieved the barbarians from the terror of his name, the most sanguine hopes of rapine and conquest excited the nations of the East, of the North, and of the South. Their inroads were often vexatious, and sometimes formidable; but, during the twelve years of the reign of Valentinian (A.D. 364–375), his firmness and vigilance protected his own dominions; and his powerful genius seemed to inspire and direct the feeble counsels of his brother. Perhaps the method of annals would more forcibly express the urgent and divided cares of the two emperors; but the attention of the reader, likewise, would be distracted by a tedious and desultory narrative. A separate view of the four great theatres of war—I. Germany; II. Britain; III. Africa; and IV. The Danube—will impress a more distinct image of the military state of the empire under the reigns of Valentinian and Valens.

Wars with the Germans: the Alemanni, Burgundians, and Saxons.

§ 10.—I. In A.D. 366 the Alemanni crossed the Rhine, and laid waste the villages of the Gauls; and before Valentinian could pass the Alps, they had secured their captives and spoil in the forests of Germany. In the same year they repeated their ravages, but they were defeated with great slaughter on the banks of the Moselle,* and abandoned Gaul. But in A.D. 368 they suddenly passed the Rhine, and surprised Moguntiacum, or

* They were defeated at Scarpona or Scarpinar (Charpeigne, on the Moselle), and at Catelauni (Châlons-sur-Marne) by Jovinus the *magister militum*.

Mainz (Mayence), the principal city of the Upper Germany. Valentinian resolved to execute severe vengeance on the whole body of the nation. He crossed the Rhine at the head of a powerful army, and defeated the Alemanni with great slaughter in their own territory: but instead of aspiring to the conquest of Germany, the wise monarch confined his attention to the important and laborious defence of the Gallic frontier, against an enemy whose strength was renewed by a stream of daring volunteers, which incessantly flowed from the most distant tribes of the North. The banks of the Rhine, from its source to the straits of the ocean, were closely planted with strong castles and convenient towers; and these works secured the tranquillity of Gaul during the nine subsequent years of the administration of Valentinian.

That prudent emperor, who diligently practised the wise maxims of Diocletian, was studious to foment and excite the intestine divisions of the tribes of Germany. About the middle of the fourth century, the countries, perhaps of Lusace and Thuringia, on either side of the Elbe, were occupied by the vague dominion of the BURGUNDIANS, a warlike and numerous people, whose obscure name insensibly swelled into a powerful kingdom, and has finally settled on a flourishing province. The disputed possession of some saltpits engaged the Alemanni and the Burgundians in frequent contests, and the latter were easily tempted by the secret solicitations and liberal offers of the emperor. In A.D. 370 an army of fourscore thousand Burgundians * appeared on the banks of the Rhine, and impatiently required the support and subsidies which Valentinian had promised; but they were amused with excuses and delays, till at length, after a fruitless expectation, they were compelled to retire. The arms and fortifications of the Gallic frontier checked the fury of their just resentment; and their massacre of the captives served to embitter the hereditary feud of the Burgundians and the Alemanni.

The land was covered by the fortifications of Valentinian; but the sea-coast of Gaul and Britain was exposed to the depredations of the Saxons. That celebrated name, in which we have a dear and domestic interest, escaped the notice of Tacitus; and in the maps of Ptolemy it faintly marks the narrow neck of the Cimbric peninsula, and three small islands towards the mouth of the Elbe. This contracted territory, the present duchy of Schleswig, or perhaps of Holstein, was incapable of pouring forth the inexhaustible swarms of Saxons who reigned over the ocean, who

* The *Burgundiones*, mentioned by Pliny the elder but not by Tacitus, are spoken of by Ptolemy (*circa*, A.D. 150) as lying between the Oder and the Vistula. They were thus the western neighbours of the Goths (ch. v. § 2). They pressed on to the Danube, and, after the abandonment by the Romans of the northern bank, they are found, with the Vandals, on the river and situated to the west of the Goths, in the reign of the emperor Probus (Zosimus, i. 68). They afterwards—perhaps under pressure from the Vandals—made this western movement against the Rhine and the Alemanni.

filled the British island with their language, their laws, and their colonies, and who so long defended the liberty of the North against the arms of Charlemagne. It is probable that Saxon was the general name given by the Celts of Britain to the Germans of the sea-coast, and of the water systems of the Lower Elbe, Weser, and Lower Rhine. Their situation disposed them to embrace the hazardous professions of fishermen and pirates: the success of the first adventurers naturally excited the emulation of others; and the various troops of pirates who fought under the same standard were insensibly united in a permanent society, at first of rapine, and afterwards of government. After they had acquired an accurate knowledge of the maritime provinces of the West they extended the scene of their depredations, and the most sequestered places had no reason to presume on their security. The Saxon boats drew so little water that they could easily proceed fourscore or an hundred miles up the great rivers: their weight was so inconsiderable that they were transported on waggons from one river to another; and the pirates who had entered the mouth of the Seine or of the Rhine might descend, with the rapid stream of the Rhone, into the Mediterranean. Under the reign of Valentinian the maritime provinces of Gaul were afflicted by the Saxons, and a military count was stationed for the defence of the sea-coast, or Armorican limit.

War in Britain: the Scots and Picts.

§ 11.—II. The islands of Great Britain and Ireland were gradually peopled from the adjacent continent of Gaul. From the coast of Kent, to the extremity of Caithness and Ulster, the memory of a Celtic origin was distinctly preserved in the perpetual resemblance of language, of religion, and of manners. The Roman province was reduced to the state of civilised and peaceful servitude: the rights of savage freedom were contracted to the narrow limits of Caledonia. The inhabitants of that northern region were divided, as early as the reign of Constantine, between the two great tribes of the SCOTS and of the PICTS, who have since experienced a very different fortune. The power, and almost the memory, of the Picts have been extinguished by their successful rivals; and the Scots, after maintaining for ages the dignity of an independent kingdom, have multiplied, by an equal and voluntary union, the honours of the English name.* The Scots inhabited the western part of Caledonia, and, according to tradition, had crossed over from the neighbouring coast of Ireland. It is certain that in the declining age of the Roman empire Caledonia, Ireland and the Isle of Man were inhabited by this race. The kindred tribes long cherished the lively tradition of their common name

* The view—that the Picts, as opposed to the Gaelic Scots, spoke a language akin to the Cymric, and were thus akin to the Welsh family of the Celtic race—is still held by some scholars; see Stokes, *On the linguistic value of the Irish annals. Picti*, which used to be regarded as equivalent to "painted men," is now connected with the *Pictones* of Gaul; see Rhys, *Rhind Lectures* for 1889 in *Scottish Review*.

and origin; and the missionaries of the Isle of Saints, who diffused the light of Christianity over North Britain, established the opinion that their Irish countrymen were the natural as well as spiritual fathers of the Scottish race.

Six years after the death of Constantine the destructive inroads of the Scots and Picts required the presence of his youngest son, who reigned in the Western empire. Constans visited his British dominions in A.D. 343: but we may form some estimate of the importance of his achievements by the language of panegyric, which celebrates only his triumph over the elements, or, in other words, the good fortune of a safe and easy passage from the port of Boulogne to the harbour of Sandwich. The calamities which the afflicted provincials continued to experience were aggravated by the feeble and corrupt administration of the eunuchs of Constantius. The hostile tribes of the North, who detested the pride and power of the King of the World, suspended their domestic feuds; and the barbarians of the land and sea, the Scots, the Picts, and the Saxons, spread themselves, with rapid and irresistible fury, from the wall of Antoninus to the shores of Kent. Every messenger who escaped across the British Channel conveyed the most melancholy and alarming tidings to the ears of Valentinian; and the emperor at length resolved to intrust the defence, or rather the recovery, of Britain, to the abilities of the brave Theodosius (A.D. 368). This general not only succeeded in driving the Scots and Picts out of the Roman province, but he confined them with a strong hand to the northern angle of the island, and perpetuated, by the name and settlement of the new province of *Valentia*, the glories of the reign of Valentinian.*

War in Africa: revolt and death of Firmus: execution of Theodosius.

§ 12.—III. The tyranny of Count Romanus, who held the military command of Africa, at length provoked the provincials to join the rebellious standard of Firmus, the Moor, who established his power in Mauretania and Numidia. But the imprudent and unhappy Africans soon discovered that, in this rash insurrection, they had not sufficiently consulted their own strength or the abilities of their leader. Before he could procure any certain intelligence that the emperor of the West had fixed the choice of a general, he was suddenly informed that the great Theodosius, the conqueror of Britain, had landed with a small band of veterans on the African coast, and the timid usurper sunk under the ascendant of virtue and military genius. Firmus took refuge among the chiefs of the independent tribes of Africa; but he was pursued by Theodosius from place to

* This fifth British province was established in A.D. 369 (Ammianus, xxviii. 3, 7; Marquardt, *Staatsverwaltung*, i. p. 288). It is not known what territory it comprised. According to the older view it was the territory from the Tyne to the Forth—Scotland, in fact, south of the wall of Antoninus. But some modern authorities—*e.g.* Kiepert and Sieglin—make it the district lying due east of Wales, its western boundary being roughly a line drawn from Chester to Exeter.

place, and at length put an end to his own life to avoid falling into the hands of the Roman general (A.D. 374). Two years afterwards (A.D. 376) the restorer of Britain and Africa, on a vague suspicion that his name and services were superior to the rank of a subject, was ignominiously beheaded at Carthage. Valentinian no longer reigned; and the death of Theodosius may justly be imputed to the arts of the ministers who abused the confidence and deceived the inexperienced youth of his sons.

War on the Danube: the Gothic war.

§ 13—IV. During a peaceful interval of thirty years, the Romans secured their frontiers, and the Goths extended their dominions. The victories of the great Hermanric, king of the Ostrogoths, had extended his dominions from the Danube to the Baltic. The independent tribes were persuaded, or compelled, to acknowledge the king of the Ostrogoths as the sovereign of the Gothic nation; and the chiefs of the Visigoths, or Thervingi, renounced the royal title, and assumed the more humble appellation of *Judges*. The Heruli, who inhabited the marshy lands near the lake Mæotis; the Venedi, who filled the wide extent of the plains of modern Poland; the Æstii, who dwelt upon the Baltic, and whose name is still preserved in the province of Esthonia, successively yielded to the superiority of the Gothic arms, and Hermanric reigned over the greatest part of Germany and Scythia with the authority of a conqueror, and sometimes with the cruelty of a tyrant.

The Goths had contracted an hereditary attachment for the Imperial house of Constantine, of whose power and liberality they had received so many signal proofs. Their contempt for two new and obscure princes, who had been raised to the throne by a popular election, inspired them with bolder hopes; and they were easily tempted to embrace the party of Procopius, and to foment, by their dangerous aid, the civil discord of the Romans. Thirty thousand Goths crossed the Danube, but before they could receive any certain intelligence of the defeat and death of Procopius, they perceived, by the hostile state of the country, that the civil and military powers were resumed by his successful rival. A chain of posts and fortifications, skilfully disposed by Valens, or the generals of Valens, resisted their march, prevented their retreat, and intercepted their subsistence. The fierceness of the barbarians was tamed and suspended by hunger; they indignantly threw down their arms at the feet of the conqueror, who offered them food and chains: and the numerous captives were distributed in the cities of the East. Hermanric was grieved and exasperated by this national calamity: but the war which followed (A.D. 367) scarcely deserves the attention of posterity, except as the preliminary steps of the approaching decline and fall of the empire. Instead of leading the nations of Germany and Scythia to the banks of the Danube, or even to the gates of Constantinople, the aged monarch of the Goths resigned to the brave Athanaric, judge of the Visigoths, the danger and glory of a defensive war, against an enemy who

wielded with a feeble hand the powers of a mighty state. After the war had lasted three years, Valens concluded a treaty with the Goths (A.D. 370), who remained in a state of tranquillity for the next six years, till they were violently impelled against the Roman empire by an innumerable host of Scythians,* who appeared to issue from the frozen regions of the North.

War with the Quadi: death of Valentinian.

§ 14. The emperor of the West, who had resigned to his brother the command of the Lower Danube, reserved for his immediate care the defence of the Rhætian and Illyrian provinces, which spread so many hundred miles along the greatest of the European rivers. The Quadi, indignant at the treacherous murder of their king by one of the Roman governors, called in the assistance of their Pannonian allies, and invaded the province of Pannonia, which they laid waste with fire and sword. Valentinian, who then resided at Trèves, was deeply affected by the calamities of Illyricum, but the lateness of the season suspended the execution of his designs till the ensuing spring (A.D. 375). He marched in person, with a considerable part of the forces of Gaul, from the banks of the Moselle; crossed the Danube, and advanced into the country of the Quadi with an insatiate thirst of blood and revenge. The extreme devastation and promiscuous massacre of a savage war were justified in the eyes of the emperor, and perhaps in those of the world, by the cruel equity of retaliation; and such was the discipline of the Romans, and the consternation of the enemy, that Valentinian repassed the Danube without the loss of a single man. As he had resolved to complete the destruction of the Quadi by a second campaign, he fixed his winter-quarters at Brigetio, on the Danube, near the Hungarian city of Presburg. While the operations of war were suspended by the severity of the weather, the Quadi made an humble attempt to deprecate the wrath of their conqueror. Their ambassadors were introduced into the Imperial council. They approached the throne with bended bodies and dejected countenances, and, without daring to complain of the murder of their king, they affirmed, with solemn oaths, that the late invasion was the crime of some irregular robbers, which the public council of the nation condemned and abhorred. The answer of the emperor left them but little to hope from his clemency or compassion. He reviled, in the most intemperate language, their baseness, their ingratitude, their insolence. His eyes, his voice, his colour, his gestures, expressed the violence of his ungoverned fury; and while his whole frame was agitated with convulsive passion a large blood-vessel suddenly burst in his body, and Valentinian fell speechless into the arms of his attendants. Their pious care immediately concealed his situation from the crowd, but in a few minutes the emperor of the West expired in an agony of pain, retaining his senses till the last, and struggling, without success, to declare his intentions to the generals and ministers who surrounded the royal couch.

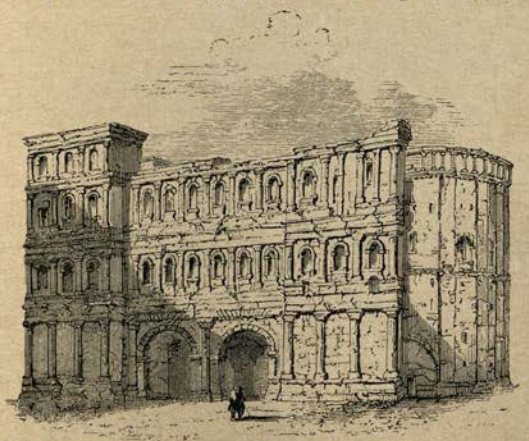
* For this use of Scythian see Appendix to ch. v.

Valentinian was about 54 years of age, and he wanted only one hundred days to accomplish the twelve years of his reign (November 17, A.D. 375).

Succession of GRATIAN and VALENTINIAN II.

§ 15. Valentinian was twice married, first to Severa, the granddaughter of Constantine, and secondly to Justina, the widow of Magnentius. By his first wife he had a son named Gratian, who was 17 years old at his father's death. The issue of the second marriage was also a son, who bore the same name as his father, but who was at this time only four years of age. Gratian had received the title of Augustus in the lifetime of Valentinian, and had every title to the throne; but he resided, without apprehension, in the palace of Trèves, whilst at the distance of many hundred miles his father suddenly expired in the camp at Brigetio. The troops at Brigetio were persuaded to proclaim the infant Valentinian emperor. The impending dangers of a civil war were seasonably prevented by the wise and moderate conduct of the emperor Gratian. He cheerfully accepted the choice of the army, declared that he should always consider the son of Justina as a brother, not as a rival, and advised the empress, with her son Valentinian, to fix their residence at Milan, in the fair and peaceful province of Italy, while he assumed the more arduous command of the countries beyond the Alps. The government of the Roman world was exercised in the united names of Valens and his two nephews; but the feeble emperor of the East, who succeeded to the rank of his elder brother, never obtained any weight or influence in the councils of the West.

[Hodgkin, *Italy and her Invaders*, Bk. I. c. 3; Schiller, *Geschichte der Römischen Kaiserzeit*, III. iv. §§ 27–30; Ranke, *Weltgeschichte*, IV. i. c. 5.]



Porta Nigra at Trèves, erected probably in the fourth century.

Wall of China. See p. 230.

## CHAPTER XIV.

### FROM THE DEATH OF VALENTINIAN TO THE DEATH OF THEODOSIUS.

§ 1. The nomadic tribes of central Asia. § 2. Their government. § 3. The Huns: their wars with the Chinese. § 4. Migrations of the Huns. § 5. The Huns defeat the Goths: the Goths cross the Danube and revolt against the Romans. § 6. The Gothic war: defeat and death of the emperor Valens. § 7. THEODOSIUS appointed emperor of the East: his birth and character. § 8. Submission of the Visigoths. § 9. Defeat of the Ostrogoths, who are transplanted to Phrygia and Lydia. § 10. Revolt of Maximus: death of Gratian. § 11. MAXIMUS recognised by Theodosius as emperor. § 12. Orthodoxy of Theodosius: he persecutes the Arians: Council of Constantinople. § 13. Basil and Gregory Nazianzen. § 14. Ambrose, bishop of Milan: his successful opposition to the empress Justina. § 15. Maximus invades Italy: flight of Valentinian. § 16. War between Theodosius and Maximus: death of Maximus. § 17. Character of Theodosius. § 18. Sedition and massacre of Thessalonica. § 19. Penance of Theodosius. § 20. Murder of Valentinian by Arbogastes. § 21. Arbogastes makes EUGENIUS emperor of the West: defeat and death of Arbogastes and Eugenius. § 22. Death of Theodosius. § 23. Ruin of Paganism.

§ 1. THE fall of the Roman empire may justly be dated from the reign of Valens. In this disastrous period the arts and labours of ages were rudely defaced by the barbarians of Scythia and Germany. The invasion of the Huns precipitated on the provinces of the West the Gothic nation, which advanced, in less than forty years, from the Danube to the Atlantic, and opened a way, by the success of their arms, to the inroads of so many hostile tribes more savage than themselves.

The nomadic tribes of central Asia.

In every age the immense plains of Central Asia have been inhabited by vagrant tribes of hunters and shepherds, whose indolence refuses to cultivate the earth, and whose restless spirit disdains the confinement of a sedentary life. These nomadic tribes were called in antiquity by the general name of SCYTHIANS, and have received in modern times the common designation of TARTARS.* They formed an aggregate of four great races, called respectively, the Mongolian, Tungusian, Turkish, and Ugrian. I. *The Mongolian Race* is the least numerous of the four, and was confined to a comparatively small territory till the time of their national hero Zingis (Tingis) Khan, when they first emerge in history. With the exception of a few scattered hordes, the Mongolians are still confined to the country northward of the great wall of China and the desert of Gobi, and westward of the Mandshú country (Manchuria). II. *The Tungusian Race* is still represented by peoples dwelling between the Yenesei and the sea of Okhotsk, and between the river Amur and the Yellow Sea. Among the numerous tribes of the Tungusian race, some of which are very barbarous, the only one which has exercised an influence upon the history of the world is that of the Mandshús, the present rulers of China. III. *The Turkish Race*, the most widely extended of the four, and one of the most considerable of the families of the world, occupies under a variety of names the vast extent of country from the neighbourhood of the lake Baikal and the river Lena, to the eastern boundaries of the Greek and Slavonic countries of Europe. IV. *The Ugrian Race*, also called the *Finnish* or *Tschudish*, settled in the north-west of Asia and the north of Europe, at a period long antecedent to all historical documents, and still survives in the populations that lie between the Yenesei and the Eastern limits of Norway. The Magyars of Hungary are the only people of the Ugrian race who have exercised any influence upon the history of the world.

* The *Tartars*, closely allied to the Mongols in race, dwelt near the lake Bouyir, to the eastward of Mongolia. They occupied so conspicuous a place in the army of Zingis (Tingis) Khan that their name was given by the nations of western Europe to the whole Mongolian army. Their proper name was *Tatars*. The designation *Tartar* is said to have been due to an expression of St. Louis. "Erigat nos, mater, cœleste solatium, quia si perveniant ipsi, vel nos ipsos quos vocamus *Tartaros* ad suas *Tartareas* sedes retrudemus, vel ipsi nos omnes ad cœlum advehent" (Letter of Louis IX. to queen Blanche in 1241). But it is as possible that the already common corruption of the name gave rise to the *jeu de mots*.

Their government.

§ 2. The tribes of Scythia, distinguished by the modern appellation of *Hords*, assume the form of a numerous and increasing family, which, in the course of successive generations, has been propagated from the same original stock. The haughty barbarians yield a cheerful and voluntary obedience to the head of their blood, and their chief, or *mursa*, as the representative of their great father, exercises the authority of a judge in peace and of a leader in war. In the original state of the pastoral world, each of the *mursas* acted as the independent chief of a large and separate family, and the limits of their peculiar territories were gradually fixed by superior force or mutual consent. But the constant operation of various and permanent causes contributed to unite the vagrant Hords into national communities, under the command of a supreme head. The most successful of the Tartar princes assumed the military command, to which he was entitled by the superiority either of merit or of power. He was raised to the throne by the acclamations of his equals, and the title of *Khan* expresses in the language of the North of Asia the full extent of the regal dignity. The right of hereditary succession was long confined to the blood of the founder of the monarchy; and all the Khans who reigned from Crimea to the wall of China were the lineal descendants of the renowned Zingis.

The Huns: their wars with the Chinese.

§ 3. In every age the Scythians * and Tartars have been renowned for their invincible courage and rapid conquests. The thrones of Asia have been repeatedly overturned by the shepherds of the North, and their arms have spread terror and devastation over the most fertile and warlike countries of Europe. The Huns, who under the reign of Valens threatened the empire of Rome, had been formidable, in a much earlier period, to the empire of China. They belonged to the Turkish race; † and their ancient, perhaps their original, seat was an extensive, though dry and barren, tract of country, immediately on the north side of the great wall. Their place is at present occupied by the forty-nine Hords or Banners of the Mongous, a pastoral nation, which consists of about two hundred thousand families. But the valour of the Huns had extended the narrow limits of their dominions; and their rustic chiefs, who assumed the appellation of *Tanjou*, gradually became the conquerors and the sovereigns of a formidable empire. In the third century before the Christian æra, a wall of 1500 miles in length was constructed, to defend the frontiers of China against the inroads of the Huns; but this stupendous work, which holds a

* On the Scythians see appendix to c. v.; on this theory of the Huns see the Bibliography at the end of the chapter.

† It is supposed by many that the name of Hungary is derived from that of the Huns: and as the Magyars of Hungary are Ugrians, it is maintained that the Huns belonged to the same race. But the name Hungary is more probably derived from that of the Ugrians or Ungrians who peopled this country in historical times. Rösler, however, thinks (*Romanische Studien*, p. 260) that *Ugren* or *Ungern* may be a form of the word *Un* or *Hun*.

conspicuous place in the map of the world, has never contributed to the safety of an unwarlike people. At the beginning of the second century before the Christian æra, the Huns broke through the wall, and spread themselves over the face of the country; and the Chinese emperors were content to purchase a temporary and precarious peace by a regular payment of money and silk. The conquest of China has been twice achieved by the pastoral tribes of the North: the forces of the Huns were not inferior to those of the Mongols, or of the Mandshús; and their ambition might entertain the most sanguine hopes of success. But their pride was humbled, and their progress was checked, by the arms and policy of Vouti, the fifth emperor of the powerful dynasty of the Han. In his long reign of 54 years (B.C. 141–87), he humbled the power of the Huns; many of the subject tribes threw off the yoke, and the Sienpi, a tribe of Oriental Tartars, retaliated the injuries they had formerly sustained, and destroyed for ever the empire of the Tanjous (A.D. 93).

Migrations of the Huns.

§ 4. Some of the vanquished Huns were contented to remain in their native country, and to mingle with the victorious nation of the Sienpi. Others, ambitious of a more honourable servitude, retired towards the south, and were permitted to inhabit and to guard the extreme frontiers of one of the provinces of China. But the most warlike and powerful tribes of the Huns maintained in their adverse fortune the undaunted spirit of their ancestors. The Western world was open to their valour, and they resolved, under the conduct of their hereditary chieftains, to discover and subdue some remote country which was still inaccessible to the arms of the Sienpi and to the laws of China. Two great divisions of these formidable exiles directed their march towards the Oxus and towards the Volga. The first of these colonies established their dominion in the fruitful and extensive plains of Sogdiana, on the eastern side of the Caspian, where they received the name of *white* Huns. The second division of the Huns, after dwelling some time upon the eastern banks of the Volga, crossed this river, and invaded the country of the Alani, a pastoral people, who occupied an extensive tract between the Volga and the Tanais.* The Alani were defeated; many of them joined the ranks of their conquerors; and the Huns proceeded, with an increase of numbers and confidence, to invade the limits of the Gothic empire.

The Huns defeat the Goths: the Goths cross the Danube and revolt against the Romans.

§ 5. The great Hermanric, whose dominions extended from the Baltic to the Euxine, enjoyed, in the full maturity of age and reputation, the fruit of his victories, when he was alarmed by the formidable approach of an host of unknown enemies, on whom his barbarous subjects might, without injustice, bestow the epithet of barbarians. The numbers, the strength, the rapid motions, and the implacable cruelty of the Huns were felt and dreaded and magnified by the astonished Goths, who beheld their fields and villages consumed with flames and deluged with

* See note to ch. iv. § 1.

indiscriminate slaughter. To these real terrors they added the surprise and abhorrence which were excited by the shrill voice, the uncouth gestures, and the strange deformity of the Huns. These savages of Scythia were distinguished from the rest of the human species by their broad shoulders, flat noses, and small black eyes, deeply buried in the head; and as they were almost destitute of beards, they never enjoyed either the manly graces of youth or the venerable aspect of age. Against these enemies, Hermanric prepared to exert the united forces of the Gothic state; but he soon discovered that his vassal tribes, provoked by oppression, were much more inclined to second than to repel the invasion of the Huns. The aged king of the Goths died soon afterwards, and his successor maintained the unequal contest against the arms of the Huns and the Alani till he was defeated and slain in a decisive battle. The Ostrogoths submitted to their fate; and the Visigoths, who were persuaded that the interposition of the Danube was the only barrier that could save them from the invincible valour of the barbarians of Scythia, implored Valens to permit them to cross the river, and solemnly protested that, if the gracious liberality of the emperor would permit them to cultivate the waste lands of Thrace, they should ever hold themselves bound, by the strongest obligations of duty and gratitude, to obey the laws and to guard the limits of the republic. The prayers of the Goths were granted, and their service was accepted by the Imperial court; and orders were immediately despatched to the civil and military governors of the Thracian diocese to make the necessary preparations for the passage and subsistence of a great people, till a proper and sufficient territory could be allotted for their future residence. The liberality of the emperor was accompanied, however, with two harsh and rigorous conditions, which prudence might justify on the side of the Romans, but which distress alone could extort from the indignant Goths. Before they passed the Danube they were required to deliver their arms, and it was insisted that their children should be taken from them and dispersed through the provinces of Asia, where they might be civilized by the arts of education, and serve as hostages to secure the fidelity of their parents. A probable testimony has fixed the number of the Gothic warriors at two hundred thousand men; and if we can venture to add the just proportion of women, of children, and of slaves, the whole mass of people which composed this formidable emigration must have amounted to near a million of persons, of both sexes and of all ages. The children of the Goths, those at least of a distinguished rank, were separated from the multitude. They were conducted without delay to the distant seats assigned for their residence and education; but the stipulation, the most offensive to the Goths and the most important to the Romans, was shamefully eluded. The barbarians, who considered their arms as the ensigns of honour and the pledges of safety, were disposed to offer a price which the lust or avarice of the Imperial

officers was easily tempted to accept. The Goths, with arms in their hands, were permitted to enter the boats; and, when their strength was collected on the other side of the river, the immense camp which was spread over the plains and the hills of the Lower Mœsia assumed a threatening and even hostile aspect (A.D. 376). At this important crisis the military government of Thrace was exercised by Lupicinus and Maximus, in whose venal minds the slightest hope of private emolument outweighed every consideration of public advantage. Instead of obeying the orders of their sovereign, and satisfying, with decent liberality, the demands of the Goths, they levied an ungenerous and oppressive tax on the wants of the hungry barbarians. The vilest food was sold at an extravagant price, and, in the room of wholesome and substantial provisions, the markets were filled with the flesh of dogs and of unclean animals who had died of disease. A spirit of discontent insensibly arose in the camp of the barbarians. They beheld around them the wealth and plenty of a fertile province, in the midst of which they suffered the intolerable hardships of artificial famine. But the means of relief, and even of revenge, were in their hands, since the rapaciousness of their tyrants had left to an injured people the possession and the use of arms. They advanced against Marcianopolis, defeated Lupicinus at the head of a Roman army, and laid waste Thrace with fire and sword.

The Gothic war: defeat and death of the emperor Valens.

§ 6. The imprudence of Valens and his ministers had introduced into the heart of the empire a nation of enemies; but the Visigoths might even yet have been reconciled by the manly confession of past errors and the sincere performance of former engagements. These healing and temperate measures seemed to concur with the timorous disposition of the sovereign of the East: but on this occasion alone Valens was brave; and his unseasonable bravery was fatal to himself and to his subjects. He declared his intention of marching from Antioch to Constantinople, to subdue this dangerous rebellion; and, as he was not ignorant of the difficulties of the enterprise, he solicited the assistance of his nephew, the emperor Gratian, who commanded all the forces of the West. In the first campaign (A.D. 377) a bloody battle was fought between the generals of Valens, and Fritigern, the leader of the Visigoths, in which neither side could claim the honours or the effects of a decisive victory. The army of Fritigern was soon swelled by new swarms of barbarians, who had passed the unguarded Danube. Many of the Ostrogoths joined his standard, and several of the hordes of the Huns and the Alani were allured by his liberal promises. The Sarmatians, who could never forgive the successor of Valentinian, enjoyed and increased the general confusion; and a seasonable irruption of the Alemanni into the provinces of Gaul engaged the attention and diverted the forces of the emperor of the West. The Gothic army was collected by the diligence of Fritigern in the neighbourhood of Hadrianople.

Valens, who had at length removed his camp and army from Antioch, marched from Constantinople to Hadrianople, and there resolved to bring the war to an end by a decisive battle (A.D. 378).

On the 9th of August, a day which has deserved to be marked among the most inauspicious of the Roman calendar, the emperor Valens, leaving, under a strong guard, his baggage and military treasure, marched from Hadrianople to attack the Goths, who were encamped about 12 miles from the city. The event of the battle, so fatal to Valens and to the empire, may be described in a few words; the Roman cavalry fled; the infantry was abandoned, surrounded, and cut in pieces. In the midst of tumult, of slaughter, and of dismay, the emperor, deserted by his guards, and wounded, as it was supposed, with an arrow, sought protection among a body of soldiers who still maintained their ground with some appearance of order and firmness. Some troops advanced to his relief: they found only a bloody spot, covered with a heap of broken arms and mangled bodies, without being able to discover their unfortunate prince either among the living or the dead. Their search could not indeed be successful, if there is any truth in the circumstances with which some historians have related the death of the emperor. By the care of his attendants, Valens was removed from the field of battle to a neighbouring cottage, where they attempted to dress his wound, and to provide for his future safety. But this humble retreat was instantly surrounded by the enemy; they tried to force the door; they were provoked by a discharge of arrows from the roof; till at length, impatient of delay, they set fire to a pile of dry faggots, and consumed the cottage with the Roman emperor and his train. Valens perished in the flames; and a youth, who dropped from the window, alone escaped, to attest the melancholy tale and to inform the Goths of the inestimable prize which they had lost by their own rashness. A great number of brave and distinguished officers perished in the battle of Hadrianople, which equalled in the actual loss, and far surpassed in the fatal consequences, the misfortune which Rome had formerly sustained in the fields of Cannæ. Above two-thirds of the Roman army were destroyed: and the darkness of the night was esteemed a very favourable circumstance, as it served to conceal the flight of the multitude. The Goths, after a vain attempt to take Hadrianople, advanced as far as the walls of Constantinople. Thence they slowly moved, laden with the spoils of the wealthy suburbs and the adjacent territory, to the mountains which form the western boundary of Thrace. Having no longer any resistance to apprehend from the scattered and vanquished troops of the East, they spread themselves over the face of a fertile and cultivated country, as far as the confines of Italy and the Adriatic Sea.

THEODOSIUS appointed

§ 7. The emperor Gratian was far advanced on his march towards the plains of Hadrianople when he was informed that

his colleague had been slain in battle, and that two-thirds of the Roman army were exterminated by the sword of the victorious Goths. Gratian was too late to assist, he was too weak to revenge, his unfortunate colleague; and the valiant and modest youth felt himself unequal to the support of a sinking world. A formidable tempest of the barbarians of Germany seemed ready to burst over the provinces of Gaul, and the mind of Gratian was oppressed and distracted by the administration of the Western empire. In this important crisis the government of the East and the conduct of the Gothic war required the undivided attention of a hero and a statesman. It was the wish of Gratian to bestow the purple as the reward of virtue; and his choice was soon declared in favour of an exile, whose father, only three years before, had suffered, under the sanction of *his* authority, an unjust and ignominious death. The great THEODOSIUS, a name celebrated in history and dear to the catholic church, was summoned to the Imperial court at Sirmium, and was compelled to accept, amidst the general acclamations, the diadem, the purple, and the equal title of Augustus (A.D. 379, Jan. 19). The provinces of Thrace, Asia, and Egypt, over which Valens had reigned, were resigned to the administration of the new emperor; but as he was specially intrusted with the conduct of the Gothic war, the Illyrian præfecture was dismembered, and the two great dioceses of Dacia and Macedonia were added to the dominions of the Eastern empire.

emperor of the East: his birth and character.

The same province, and perhaps the same city,* which had given to the throne the virtues of Trajan and the talents of Hadrian, was the original seat of another family of Spaniards, who, in a less fortunate age, possessed, near fourscore years, the declining empire of Rome. They emerged from the obscurity of municipal honours by the active spirit of the elder Theodosius, a general whose exploits in Britain and Africa have formed one of the most splendid parts of the annals of Valentinian. The son of that general, who likewise bore the name of Theodosius, was educated, by skilful preceptors, in the liberal studies of youth; but he was instructed in the art of war by the tender care and severe discipline of his father. Under the standard of such a leader, young Theodosius sought glory and knowledge in the most distant scenes of military action; inured his constitution to the difference of seasons and climates; distinguished his valour by sea and land; and observed the various warfare of the Scots, the Saxons, and the Moors. His rising fortunes were soon blasted by the disgrace and execution of his illustrious father; and Theodosius obtained, as a favour, the permission of retiring to a private life in his native province of Spain. From the innocent, but humble, labours of his farm, Theodosius was transported, in less than four months, to the throne of the Eastern empire: and the whole period of the history of the world will not perhaps afford a similar example of an elevation

* *Italica*, founded by Scipio Africanus for his wounded veterans of *Italy*.

at the same time so pure and so honourable. During the season of prosperity he had been neglected; but, in the public distress, his superior merit was universally felt and acknowledged. What confidence must have been reposed in his integrity, since Gratian could trust that a pious son would forgive, for the sake of the republic, the murder of his father! What expectations must have been formed of his abilities, to encourage the hope that a single man could save, and restore, the empire of the East! Theodosius was invested with the purple in the 33rd year of his age. The vulgar gazed with admiration on the manly beauty of his face and the graceful majesty of his person, which they were pleased to compare with the pictures and medals of the emperor Trajan; whilst intelligent observers discovered, in the qualities of his heart and understanding, a more important resemblance to the best and greatest of the Roman princes.

Submission of the Visigoths.

§ 8. The effects produced by the battle of Hadrianople on the minds of the barbarians and of the Romans, extended the victory of the former, and the defeat of the latter, far beyond the limits of a single day. The same terrors, which the name of the Huns had spread among the Gothic tribes, were inspired by the formidable name of the Goths among the subjects and soldiers of the Roman empire. If Theodosius, hastily collecting his scattered forces, had led them into the field to encounter a victorious enemy, his army would have been vanquished by their own fears; and his rashness could not have been excused by the chance of success. But the *great* Theodosius, an epithet which he honourably deserved on this momentous occasion, conducted himself as the firm and faithful guardian of the republic. He fixed his head-quarters at Thessalonica, the capital of the Macedonian diocese; from whence he could watch the irregular motions of the barbarians, and direct the operations of his lieutenants, from the gates of Constantinople to the shores of the Adriatic. The fortifications and garrisons of the cities were strengthened; and the troops, among whom a sense of order and discipline was revived, were insensibly emboldened by the confidence of their own safety. From these secure stations they were encouraged to make frequent sallies on the barbarians, who infested the adjacent country; and as they were seldom allowed to engage, without some decisive superiority, either of ground or of numbers, their enterprises were, for the most part, successful; and they were soon convinced, by their own experience, of the possibility of vanquishing their *invincible* enemies. The prudence of Theodosius was seconded by fortune; and the emperor never failed to seize, and to improve, every favourable circumstance. As long as the superior genius of Fritigern preserved the union and directed the motions of the barbarians, their power was not inadequate to the conquest of a great empire. The death of that hero,* the predecessor and master of the

* Fritigern disappears from the scene, but it is not certain that he was dead. The rise of Athanaric, followed by the subjection of the Visigoths,

renowned Alaric, relieved an impatient multitude from the intolerable yoke of discipline and discretion. Dissensions soon arose among the different tribes; and a very considerable part of the subjects of Fritigern, who already felt the inconveniences of anarchy, were easily persuaded to acknowledge for their king Athanaric, who had formerly governed them as Judge under the great Hermanric. But age had chilled the daring spirit of Athanaric; and, instead of leading his people to the field of battle and victory, he wisely listened to the fair proposal of an honourable and advantageous treaty. The submission of so great a body of the Visigoths was productive of the most salutary consequences; and the mixed influence of force, of reason, and of corruption, became every day more powerful and more extensive. Each independent chieftain hastened to obtain a separate treaty, from the apprehension that an obstinate delay might expose *him*, alone and unprotected, to the revenge or justice of the conqueror. The general, or rather the final, capitulation of the Goths, may be dated four years, one month, and twenty-five days, after the defeat and death of the emperor Valens (A.D. 382, Oct. 3).

Defeat of the Ostrogoths, who are transplanted to Phrygia and Lydia.

§ 9. The provinces of the Danube had been already relieved from the oppressive weight of the Greuthungi, or Ostrogoths, by the voluntary retreat of their leaders Alatheus and Saphrax, whose restless spirit had prompted them to seek new scenes of rapine and glory. Their destructive course was pointed towards the West; but we must be satisfied with a very obscure and imperfect knowledge of their various adventures. After an interval of more than four years, they returned, with accumulated force, to the banks of the Lower Danube. Here they were defeated in A.D. 386 by Theodosius or his generals; and the survivors formed a treaty with the emperor, which fixed their settlement in Phrygia and Lydia. The hereditary chiefs of the tribes and families were still permitted to command their followers in peace and war: but the royal dignity was abolished; and the generals of the Goths were appointed and removed at the pleasure of the emperor. An army of 40,000 Goths was maintained for the perpetual service of the empire of the East; and those haughty troops, who assumed the title of *Fœderati*, or allies, were distinguished by their gold collars, liberal pay, and licentious privileges.* Their native courage was improved by

may simply show internal dissensions in that nation. See Schiller, *Geschichte*, III. iv. 32.

* The status of the *Fœderati* had begun with the submission of the Visigoths. The chief conditions of the *Fœdus* were: (i.) that the allied people should retain their own laws and national life in the districts assigned them, and that they should be exempt from taxation and from Roman jurisdiction except in disputes with provincials; (ii.) that, when called upon, they should fight for the empire, under their own chiefs, but at the direction of the Roman commanders; the state guaranteed a payment (*stipendium*) in return for this military service. See Hodgkin, *Italy and her Invaders*, i. p. 310.

the use of arms and the knowledge of discipline; and, while the republic was guarded or threatened by the doubtful sword of the barbarians, the last sparks of the military flame were finally extinguished in the minds of the Romans.

Revolt of Maximus: death of Gratian.

§ 10. The popularity of Gratian had long been declining. He had abandoned the reins of government to the ambitious hands which were stretched forward to grasp them, and amused his leisure with the most frivolous gratifications. Among the various arts which had exercised his youth, he had applied himself, with singular inclination and success, to manage the horse, to draw the bow, and to dart the javelin; and these qualifications, which might be useful to a soldier, were prostituted to the viler purposes of hunting. Large parks were enclosed for the Imperial pleasures, and plentifully stocked with every species of wild beasts, and Gratian neglected the duties and even the dignity of his rank to consume whole days in the vain display of his dexterity and boldness in the chace. The behaviour of Gratian, which degraded his character in the eyes of mankind, could not have disturbed the security of his reign if the army had not been provoked to resent their peculiar injuries. As long as the young emperor was guided by the instructions of his masters, he professed himself the friend and pupil of the soldiers; many of his hours were spent in the familiar conversation of the camp, and the health, the comforts, the rewards, the honours of his faithful troops, appeared to be the object of his attentive concern. But, after Gratian more freely indulged his prevailing taste for hunting and shooting, he naturally connected himself with the most dexterous ministers of his favourite amusement. A body of the Alani was received into the military and domestic service of the palace, and the admirable skill which they were accustomed to display in the unbounded plains of Scythia was exercised on a more narrow theatre in the parks and enclosures of Gaul. Gratian admired the talents and customs of these favourite guards, to whom alone he intrusted the defence of his person; and, as if he meant to insult the public opinion, he frequently showed himself to the soldiers and people with the dress and arms, the long bow, the sounding quiver, and the fur garments of a Scythian warrior. The unworthy spectacle of a Roman prince who had renounced the dress and manners of his country filled the minds of the legions with grief and indignation. Even the Germans, so strong and formidable in the armies of the empire, affected to disdain the strange and horrid appearance of the savages of the North, who, in the space of a few years, had wandered from the banks of the Volga to those of the Seine. The legions of Britain, which shared in the general discontent, compelled Maximus to assume the Imperial title (A.D. 383). Maximus was a native of Spain, the countryman, the fellow-soldier, and the rival of Theodosius, whose elevation he had not seen without some emotions of envy and resentment; the events of his life had long since fixed him in Britain;

but if he held any civil or military office in the island, he was not invested with the authority either of governor or general. Maximus could not hope to reign, or even to live, if he confined his moderate ambition within the narrow limits of Britain. He boldly and wisely resolved to prevent the designs of Gratian; he invaded Gaul with a powerful fleet and army; and the soldiers of Gratian, instead of opposing the march of Maximus, received him with joyful and loyal acclamations. The emperor of the West fled towards Lyons with a train of only 300 horse, and in the cities along the road, where he hoped to find a refuge, or at least a passage, he was taught by cruel experience that every gate is shut against the unfortunate. Yet he might still have reached in safety the dominions of his brother if he had not suffered himself to be fatally deceived by the perfidious governor of the Lyonnese province. Gratian was amused by protestations of doubtful fidelity, till the arrival of Andragathius, the general of the cavalry of Maximus, put an end to his suspense. That resolute officer executed, without remorse, the orders or the intentions of the usurper. Gratian, as he rose from supper, was delivered into the hands of the assassin, and his body was denied to the pious and pressing entreaties of his brother Valentinian (A.D. 383).

MAXIMUS recognised by Theodosius as emperor.

§ 11. The events of this revolution had passed in such rapid succession that it would have been impossible for Theodosius to march to the relief of his benefactor before he received the intelligence of his defeat and death. Maximus offered Theodosius the alternative of peace or war. The imperious voice of honour and gratitude called aloud for revenge; but the assassin of Gratian was in possession of the most warlike provinces of the empire; the East was exhausted by the Gothic war; and it was seriously to be apprehended that, after the vital strength of the republic had been wasted in a doubtful and destructive contest, the feeble conqueror would remain an easy prey to the barbarians of the north. These weighty considerations engaged Theodosius to dissemble his resentment and to accept the alliance of the tyrant. But he stipulated that Maximus should content himself with the possession of the countries beyond the Alps. Valentinian II. was confirmed and secured in the sovereignty of Italy, Africa, and the Western Illyricum.

Orthodoxy of Theodosius: he persecutes the Arians: Council of Constantinople.

§ 12. Gratian had been a firm supporter of the orthodox clergy, who bewailed his death, and their own irreparable loss; but they were soon comforted by the discovery that Gratian had committed the sceptre of the East to the hands of a prince whose humble faith and fervent zeal were supported by the spirit and abilities of a more vigorous character. Among the benefactors of the church, the fame of Constantine has been rivalled by the glory of Theodosius. If Constantine had the advantage of erecting the standard of the cross, the emulation of his successor assumed the merit of subduing the Arian heresy, and of abolishing the worship of idols in the Roman

world.* Theodosius was the first of the emperors baptized in the true faith of the Trinity. In the year after his accession (A.D. 380), before he again took the field against the Goths, he received the sacrament of baptism from Acholius, the orthodox bishop of Thessalonica: and, as the emperor ascended from the holy font, still glowing with the warm feelings of regeneration, he dictated a solemn edict, which proclaimed the Athanasian doctrine of the Trinity, and branded all who denied it with the infamous name of heretics. As soon as the emperor had finished the operations of the campaign, he returned to his capital with the firm resolution to purify it from the Arian heresy. Constantinople had long been the principal seat and fortress of Arianism; and the cathedral of St. Sophia was still in possession of Damophilus, the Arian prelate. Theodosius immediately deposed Damophilus, and handed over all the churches in the city to the exclusive use of the orthodox party, who formed only a small portion of the population of Constantinople. He declared his resolution of expelling from all the churches of his dominions the bishops and their clergy who should obstinately refuse to believe the doctrine of the council of Nicæa. His lieutenant Sapor was armed with the ample powers of a general law, a special commission, and a military force; and this ecclesiastical revolution was conducted with so much discretion and vigour, that the religion of the emperor was established, without tumult or bloodshed, in all the provinces of the East. A month earlier (May, A.D. 381) Theodosius had convened at Constantinople a synod of 150 bishops, which ranks as the second general council of the Christian church. This council completed the theological system which had been established in the council of Nicæa, and solemnly declared by an unanimous sentence the equal Deity of the Holy Ghost. It was not enough that Theodosius had suppressed the insolent reign of Arianism, or that he had abundantly revenged the injuries which the catholics sustained from the zeal of Constantius and Valens. The orthodox emperor considered every heretic as a rebel against the supreme powers of heaven and of earth. In the space of fifteen years he promulgated at least fifteen severe edicts against the heretics, more especially against those who rejected the doctrine of the Trinity; and to deprive them of every hope of escape, he sternly enacted that, if any laws or rescripts should be alleged in their favour, the judges should consider them as the illegal productions either of fraud or forgery.†

* A series of laws directed against paganism extend from A.D. 381 to 391 (Codex Theodosianus, 16, 7, 4–11). The earlier ones inflict civil disabilities—such as incapacity to make wills or to appear as witnesses—on converts to paganism. Another law prohibits the taking of auspices, and finally sacrifices in pagan temples and the worship of idols are forbidden. Indulgence in pagan rites is interpreted as equivalent to the crime of treason (*læsa majestas*). See § 23, and Bourre, *Des inégalités de condition résultant de la religion en droit Romain*, p. 104.

† For the details of Theodosius' regulations against heretics see Bourre,

Basil and Gregory Nazianzen.

§ 13. Among the ecclesiastics who illustrated the reign of Theodosius, Basil and Gregory Nazianzen in the East, and Ambrose in the West, were the most conspicuous. Basil and Gregory Nazianzen, who were natives of Cappadocia, were distinguished above all their contemporaries by the rare union of profane eloquence and of orthodox piety. These orators, who might sometimes be compared, by themselves and by the public, to the most celebrated of the ancient Greeks, were united by the ties of the strictest friendship. They had cultivated, with equal ardour, the same liberal studies in the schools of Athens; they had retired, with equal devotion, to the same solitude in the deserts of Pontus: and every spark of emulation or envy appeared to be totally extinguished in the holy and ingenuous breasts of Gregory and Basil. But the exaltation of Basil, from a private life to the archiepiscopal throne of Cæsarea, discovered to the world, and perhaps to himself, the pride of his character; and the first favour which he condescended to bestow on his friend was received, and perhaps was intended, as a cruel insult. Instead of employing the superior talents of Gregory in some useful and conspicuous station, the haughty prelate selected, among the fifty bishoprics of his extensive province, the wretched village of Sasima, without water, without verdure, without society, situate at the junction of three highways, and frequented only by the incessant passage of rude and clamorous waggoners. Gregory submitted with reluctance to this humiliating exile: he was ordained bishop of Sasima; but he never entered upon the duties of his office. He afterwards consented to undertake the government of his native church of Nazianzus, of which his father had been bishop above forty-five years. But as he was still conscious that he deserved another audience and another theatre, he accepted, with no unworthy ambition, the honourable invitation which was addressed to him from the orthodox party of Constantinople. After labouring in the city for two years, exposed to the opposition and persecution of the dominant Arian party, he was placed by Theodosius upon the archiepiscopal throne (A.D. 381). But he did not enjoy this dignity long. His enemies disputed the validity of his election, and rigorously asserted the obsolete canon that prohibited the licentious practice of episcopal translations. The pride, or the humility, of Gregory, prompted him to decline a contest which might have been imputed to ambition and avarice; and he publicly offered, not without some mixture of indignation, to renounce the government of a church which had been restored by his labours. His resignation was accepted by the council of Constantinople, and by the emperor, with more readiness than he seems to have expected. After this remarkable experience of the ingratitude

*op. cit.*, p. 124, ff. His edicts were specially directed against those who allowed themselves to be ordained priests by heretics, the dissolution of the hierarchy being considered the best guarantee for the extirpation of the heresy.

of princes and prelates, Gregory retired once more to his obscure solitude of Cappadocia, where he employed the remainder of his life, about eight years, in the exercises of poetry and devotion.

Ambrose, bishop of Milan: his successful opposition to the empress Justina.

§ 14. Ambrose was descended from a noble family of Romans; and he attained, in the regular gradation of civil honours, the station of consular of Liguria, a province which included the Imperial residence of Milan.* At the age of 34, and before he had received the sacrament of baptism, Ambrose, to his own surprise and to that of the world, was suddenly transformed from a governor to an archbishop. Without the least mixture, as it is said, of art or intrigue, the whole body of the people unanimously saluted him with the episcopal title; the concord and perseverance of their acclamations were ascribed to a præternatural impulse; and the reluctant magistrate was compelled to undertake a spiritual office for which he was not prepared by the habits and occupations of his former life. But the active force of his genius soon qualified him to exercise, with zeal and prudence, the duties of his ecclesiastical jurisdiction. Gratian loved and revered him as a father; and the elaborate treatise on the faith of the Trinity was designed for the instruction of the young prince. After his tragic death, at a time when the empress Justina trembled for her own safety, and for that of her son Valentinian, the archbishop of Milan was despatched on two different embassies to the court of Trèves.† He exercised, with equal firmness and dexterity, the powers of his spiritual and political characters; and perhaps contributed, by his authority and eloquence, to check the ambition of Maximus, and to protect the peace of Italy.

The government of Italy, and of the young emperor, naturally devolved upon his mother Justina, who, in the midst of an orthodox people, had the misfortune of professing the Arian heresy, which she endeavoured to instil into the mind of her son. Justina was persuaded that a Roman emperor might claim, in his own dominions, the public exercise of his religion; and she proposed to the archbishop, as a moderate and reasonable concession, that he should resign the use of a single church, either in the city or suburbs of Milan (A.D. 385). But Ambrose resolutely refused to allow the heretics the use of a church in his diocese; the people espoused the cause of their bishop; and after a vehement struggle between the powers of the state and of the church, the empress was persuaded by the advice of her wisest counsellors to leave the catholics in possession of all the churches of Milan. Shortly afterwards Justina ordered Ambrose to depart from Milan without delay; but he again boldly refused to obey; and his refusal was supported by the

* He was *clarissimus consularis Liguriæ et Æmiliæ*. Liguria was on the left bank of the Upper Padus, Æmilia on the south bank of the Lower Padus.

† The first was at the end of the year 383, the second in the year 387. See Goyau, *Chronologie de l'Empire Romain*, pp. 578 and 595.

unanimous consent of his faithful people. They guarded by turns the person of their archbishop; the gates of the cathedral and the episcopal palace were stongly secured; and the Imperial troops, who had formed the blockade, were unwilling to risk the attack of that impregnable fortress. While he maintained this arduous contest, he was instructed, by a dream, to open the earth in a place where the remains of two martyrs, Gervasius and Protasius, had been deposited above three hundred years. Immediately under the pavement of the church two perfect skeletons were found, with the heads separated from their bodies, and a plentiful effusion of blood. The holy relics were presented, in solemn pomp, to the veneration of the people; the bones of the martyrs, their blood, their garments, were supposed to contain a healing power; and the extraordinary cure of a blind man, and the reluctant confessions of several dæmoniacs, appeared to justify the faith of Ambrose. The reason of the present age may possibly approve the incredulity of Justina and her Arian court, who derided the theatrical representations which were exhibited by the contrivance, and at the expense, of the archbishop. Their effect, however, on the minds of the people was rapid and irresistible; and the feeble sovereign of Italy found himself unable to contend with the favourite of Heaven. The powers likewise of the earth interposed in the defence of Ambrose: the disinterested advice of Theodosius was the genuine result of piety and friendship; and the mask of religious zeal concealed the hostile and ambitious designs of the tyrant of Gaul.

Maximus invades Italy; flight of Valentinian.

§ 15. The reign of Maximus might have ended in peace and prosperity, could he have contented himself with the possession of three ample countries, which now constitute three of the most flourishing states of modern Europe. But he aspired to the conquest of Italy; and collecting a powerful army, he secretly crossed the Alps, and appeared almost under the walls of Milan, before Justina and her son had received intelligence of his approach. Flight was their only hope, and Aquileia their only refuge. They reached Aquileia in safety; but Justina distrusted the strength of the fortifications, and she resolved to implore the protection of the great Theodosius. A vessel was secretly provided to transport the Imperial family; they embarked with precipitation in one of the obscure harbours of Venetia, or Istria; and, after a long but successful navigation, reposed themselves in the port of Thessalonica. All the subjects of Valentinian deserted the cause of a prince who, by his abdication, had absolved them from the duty of allegiance; and Maximus obtained almost without a struggle the sole possession of the Western empire (A.D. 387).

War between Theodosius and Maximus: death of Maximus.

§ 16. The momentous question of peace or war was referred by Theodosius to the deliberation of his council; and the arguments which might be alleged on the side of honour and justice had acquired, since the death of Gratian, a considerable degree

of additional weight. The persecution of the Imperial family, to which Theodosius himself had been indebted for his fortune, was now aggravated by recent and repeated injuries. Neither oaths nor treaties could restrain the boundless ambition of Maximus; and the delay of vigorous and decisive measures, instead of prolonging the blessings of peace, would expose the Eastern empire to the danger of an hostile invasion. The barbarians who had passed the Danube had lately assumed the character of soldiers and subjects, but their native fierceness was yet untamed; and the operations of a war, which would exercise their valour and diminish their numbers, might tend to relieve the provinces from an intolerable oppression. The charms of the princess Galla most powerfully pleaded the cause of her brother Valentinian. The heart of Theodosius was softened by the tears of beauty; his affections were insensibly engaged by the graces of youth and innocence; the art of Justina managed and directed the impulse of passion; and the celebration of the royal nuptials was the assurance and signal of the civil war. The contest was brought to a close by a single and decisive battle upon the banks of the Save;* the army of Maximus was almost annihilated; and the usurper fled with precipitation to Aquileia. But the citizens and soldiers would not fight in his defence; and the wretched Maximus was dragged from his throne, and conducted, like a malefactor, to the camp and presence of Theodosius, at a place about three miles from Aquileia. The emperor showed some disposition to pity and forgive the tyrant of the West; but the feeble emotion of involuntary pity was checked by his regard for public justice and the memory of Gratian; and he abandoned the victim to the pious zeal of the soldiers, who drew him out of the Imperial presence and instantly separated his head from his body (A.D. 388). Theodosius employed the winter months of his residence at Milan to restore the state of the afflicted provinces; and in the early summer of the next year † he made, after the example of Constantine and Constantius, his triumphal entry into the ancient capital of the Roman empire.

Character of Theodosius.

§ 17. The character of Theodosius might furnish the subject of a sincere and ample panegyric. The wisdom of his laws and the success of his arms rendered his administration respectable in the eyes both of his subjects and of his enemies. He loved and practised the virtues of domestic life, which seldom hold their residence in the palaces of kings. He respected the simplicity of the good and virtuous; every art, every talent, of an useful or even of an innocent nature, was rewarded by his judicious liberality; and, except the heretics, whom he persecuted with

* Two battles were fought in this campaign. The first at Siscia (Siszeg on the Save), although it ended in a victory for Theodosius, was indecisive. The second and decisive battle was fought at Poetovio (Pettau on the Drave). See Schiller, *Geschichte*, III. iv. 32.

† June 13th, A.D. 389; see Goyau, *op. cit.*, p. 600.

implacable hatred, the diffusive circle of his benevolence was circumscribed only by the limits of the human race. But with all these virtues there were two essential imperfections in the character of Theodosius. His virtuous mind was often relaxed by indolence, and it was sometimes inflamed by passion. In the pursuit of an important object his active courage was capable of the most vigorous exertions; but as soon as the design was accomplished, or the danger was surmounted, the hero sunk into inglorious repose, and, forgetful that the time of a prince is the property of his people, resigned himself to the enjoyment of the innocent but trifling pleasures of a luxurious court. The natural disposition of Theodosius was hasty and choleric; it was the constant study of his life to suppress or regulate the intemperate sallies of passion; and the success of his efforts enhanced the merit of his clemency. But the painful virtue which claims the merit of victory is exposed to the danger of defeat; and the reign of a wise and merciful prince was polluted by an act of cruelty which would stain the annals of Nero or Domitian.

Sedition and massacre of Thessalonica.

§ 18. Thessalonica, the metropolis of all the Illyrian provinces, had been protected from the dangers of the Gothic war by strong fortifications and a numerous garrison. Botheric, the general of those troops, had thrown into prison one of the charioteers of the circus, and sternly rejected the importunate clamours of the multitude, who, on the day of the public games, lamented the absence of their favourite. The resentment of the people was embittered by some previous disputes; and, as the strength of the garrison had been drawn away for the service of the Italian war, the feeble remnant could not save the unhappy general from their licentious fury. Botheric and several of his principal officers were inhumanly murdered: their mangled bodies were dragged about the streets; and the emperor, who then resided at Milan, was surprised by the intelligence of the audacious and wanton cruelty of the people of Thessalonica. The sentence of a dispassionate judge would have inflicted a severe punishment on the authors of the crime; but the fiery and choleric temper of Theodosius was impatient of the dilatory forms of a judicial inquiry; and he hastily resolved that the blood of his lieutenant should be expiated by the blood of the guilty people. The punishment of a Roman city was blindly committed to the undistinguishing sword of the barbarians; and the hostile preparations were concerted with the dark and perfidious artifice of an illegal conspiracy. The people of Thessalonica were treacherously invited, in the name of their sovereign, to the games of the circus; and such was their insatiate avidity for those amusements that every consideration of fear or suspicion was disregarded by the numerous spectators. As soon as the assembly was complete, the soldiers, who had secretly been posted round the circus, received the signal, not of the races, but of a general massacre. The promiscuous carnage continued three hours, without discrimination of strangers or natives, of age or

sex, of innocence or guilt; the most moderate accounts state the number of the slain at 7000; and it is affirmed by some writers that more than 15,000 victims were sacrificed to the manes of Botheric (A.D. 390).*

Penance of Theodosius.

§ 19. When Ambrose was informed of the massacre of Thessalonica, his mind was filled with horror and anguish. He retired into the country to indulge his grief and to avoid the presence of Theodosius. But as the archbishop was satisfied that a timid silence would render him the accomplice of his guilt, he represented in a private letter the enormity of the crime, which could only be effaced by the tears of penitence. The emperor was deeply affected by his own reproaches and by those of his spiritual father; and after he had bewailed the mischievous and irreparable consequences of his rash fury, he proceeded in the accustomed manner to perform his devotions in the great church of Milan. He was stopped in the porch by the archbishop, who, in the tone and language of an ambassador of Heaven, declared to his sovereign that private contrition was not sufficient to atone for a public fault or to appease the justice of the offended Deity. Theodosius humbly represented that, if he had contracted the guilt of homicide, David, the man after God's own heart, had been guilty not only of murder but of adultery. "You have imitated David in his crime, imitate then his repentance," was the reply of the undaunted Ambrose. The rigorous conditions of peace and pardon were accepted; and the public penance of the emperor Theodosius has been recorded as one of the most honourable events in the annals of the church. Stripped of the ensigns of royalty, and in the midst of the church of Milan, the emperor humbly solicited, with sighs and tears, the pardon of his sins. After a delay of about eight months Theodosius was restored to the communion of the faithful; and the example of this emperor may prove the beneficial influence of those principles which could force a monarch, exalted above the apprehension of human punishment, to respect the laws and ministers of an invisible Judge.

Murder of Valentinian by Arbogastes.

§ 20. After the defeat and death of the tyrant of Gaul, the Roman world was in the possession of Theodosius. But after spending three years in Italy (A.D. 388–391) he left Valentinian in possession of the peninsula, and also added to his dominions the countries beyond the Alps.† The empress Justina did not long survive her return to Italy, and, though she beheld the triumph of Theodosius, she was not allowed to influence the government of her son. The pernicious attachment to the

* Theodoret (*Historia Ecclesiastica*, v. 17) gives the number as 7000; Theophanes (*Chronicon*, p. 62), probably with some exaggeration, as 15,000.

† *I.e.* he added all the territories that had been possessed by Gratian to those hitherto held by Valentinian. But, since the death of the Empress Justina had left the young emperor without a guide, Theodosius was practically overlord of the whole Empire; and hence the complete triumph of the Nicene faith. See Schiller, *Geschichte*, III. iv. 32; Hodgkin, *Italy and her Invaders*, i. p. 469.

Arian sect which Valentinian had imbibed from her example and instructions was soon erased by the lessons of a more orthodox education. His growing zeal for the faith of Nicæa, and his filial reverence for the character and authority of Ambrose, disposed the catholics to entertain the most favourable opinion of the virtues of the young emperor of the West. But this amiable youth, before he had accomplished the twentieth year of his age, was oppressed by domestic treason, and the empire was again involved in the horrors of a civil war. Arbogastes, a gallant soldier of the nation of the Franks, had been appointed by Theodosius master-general of the armies of Gaul. His real merit and apparent fidelity had gained the confidence both of the prince and people; his boundless liberality corrupted the allegiance of the troops; and, whilst he was universally esteemed as the pillar of the state, the bold and crafty barbarian was secretly determined either to rule or to ruin the empire of the West. The important commands of the army were distributed among the Franks; the creatures of Arbogastes were promoted to all the honours and offices of the civil government; the progress of the conspiracy removed every faithful servant from the presence of Valentinian; and the emperor insensibly sunk into the precarious and dependent condition of a captive. The indignation which he expressed, though it might arise only from the rash and impatient temper of youth, may be candidly ascribed to the generous spirit of a prince who felt that he was not unworthy to reign. He resolved to throw off his chains; and one day, as the count approached him with some appearance of respect, Valentinian delivered to him a paper which dismissed him from all his employments. "My authority," replied Arbogastes, with insulting coolness, "does not depend on the smile or the frown of a monarch;" and he contemptuously threw the paper on the ground. The indignant monarch snatched at the sword of one of the guards, which he struggled to draw from its scabbard, and it was not without some degree of violence that he was prevented from using the deadly weapon against his enemy or against himself. A few days after this extraordinary quarrel, in which he had exposed his resentment and his weakness, the unfortunate Valentinian was found strangled in his apartment; and some pains were employed to disguise the manifest guilt of Arbogastes, and to persuade the world that the death of the young emperor had been the voluntary effect of his own despair (A.D. 392).

Arbogastes makes Eugenius emperor of the West: defeat and death of Arbogastes and Eugenius.

§ 21. The prudence of Arbogastes had prepared the success of his ambitious designs; but the judicious barbarian thought it more advisable to reign under the name of some dependent Roman. He bestowed the purple on the rhetorician Eugenius, whom he had already raised from the place of his domestic secretary to the rank of master of the offices. The ambassadors of the new emperor were immediately despatched to the court of Theodosius, to communicate, with affected grief, the

unfortunate accident of the death of Valentinian, and to request that the monarch of the East would embrace as his lawful colleague the respectable citizen who had obtained the unanimous suffrage of the armies and provinces of the West. Theodosius was justly provoked that the perfidy of a barbarian should have destroyed in a moment the labours and the fruit of his former victory; but as the second conquest of the West was a task of difficulty and danger, he dismissed, with splendid presents and an ambiguous answer, the ambassadors of Eugenius, and almost two years were consumed in the preparations of the civil war. It was not till late in the summer of the year 394 that Theodosius marched against the usurper. Arbogastes awaited him in the North of Italy in the open country which extends to the walls of Aquileia and the banks of the Frigidus, or Cold River. Here a bloody battle was fought, in which the Gallic and German troops of Arbogastes after an obstinate struggle gained the advantage; and the approach of night alone protected the disorderly flight, or retreat, of the troops of Theodosius. In the night the active and vigilant Arbogastes secretly detached a considerable body of troops to occupy the passes of the mountains and to encompass the rear of the Eastern army. The dawn of day discovered to the eyes of Theodosius the extent and the extremity of his danger, but his apprehensions were soon dispelled by a friendly message from the leaders of those troops, who expressed their inclination to desert the standard of the tyrant. The spirit of his soldiers was revived by this seasonable reinforcement, and they again marched with confidence to surprise the camp of a tyrant whose principal officers appeared to distrust either the justice or the success of his arms. The victory of Theodosius was decisive, and the deaths of his two rivals were distinguished only by the difference of their characters. The rhetorician Eugenius was reduced to implore the mercy of the conqueror, and the unrelenting soldiers separated his head from his body as he lay prostrate at the feet of Theodosius. Arbogastes wandered several days among the mountains; but when he was convinced that his cause was desperate, and his escape impracticable, the intrepid barbarian imitated the example of the ancient Romans, and turned his sword against his own breast.

Death of Theodosius.

§ 22. After the defeat of Eugenius, the merit, as well as the authority, of Theodosius was cheerfully acknowledged by all the inhabitants of the Roman world. The experience of his past conduct encouraged the most pleasing expectations of his future reign; and the age of the emperor, which did not exceed 50 years, seemed to extend the prospect of the public felicity. His death, only four months after his victory, was considered by the people as an unforeseen and fatal event, which destroyed in a moment the hopes of the rising generation. But the indulgence of ease and luxury had secretly nourished the principles of disease. The strength of Theodosius was unable to support the sudden and violent transition from the palace to the camp; and

the increasing symptoms of a dropsy announced the speedy dissolution of the emperor. The opinion, and perhaps the interest, of the public had confirmed the division of the Eastern and Western empires; and the two royal youths, Arcadius and Honorius, who had already obtained, from the tenderness of their father, the title of Augustus, were destined to fill the thrones of Constantinople and of Rome.* Those princes were not permitted to share the danger and glory of the civil war; but as soon as Theodosius had triumphed over his unworthy rivals, he called his younger son, Honorius, to enjoy the fruits of the victory, and to receive the sceptre of the West from the hands of his dying father. The arrival of Honorius at Milan was welcomed by a splendid exhibition of the games of the circus; and the emperor, though he was oppressed by the weight of his disorder, contributed by his presence to the public joy. But the remains of his strength were exhausted by the painful effort which he made to assist at the spectacles of the morning. Honorius supplied, during the rest of the day, the place of his father; and the great Theodosius expired in the ensuing night (A.D. 395, Jan. 17). Notwithstanding the recent animosities of a civil war, his death was universally lamented. The barbarians, whom he had vanquished, and the churchmen, by whom he had been subdued, celebrated with loud and sincere applause the qualities of the deceased emperor which appeared the most valuable in their eyes. The Romans were terrified by the impending dangers of a feeble and divided administration; and every disgraceful moment of the unfortunate reigns of Arcadius and Honorius revived the memory of their irreparable loss.

Ruin of Paganism.

§ 23. The ruin of Paganism was completed in the reign of Theodosius. Even Christian emperors had shown respect to the prejudices of their Pagan subjects, and had condescended to accept the robe and ensigns which were appropriated to the office of supreme pontiff. Gratian sternly rejected those profane symbols; applied to the service of the state or of the church the revenue of the priests and vestals; abolished their honours and immunities; and dissolved the ancient fabric of Roman superstition, which was supported by the opinions and habits of 1100 years. But this emperor yet spared the statues of the gods which were exposed to the public veneration; 424 temples, or chapels, still remained to satisfy the devotion of the people, and in every quarter of Rome the delicacy of the Christians was offended by the fumes of heathen sacrifice. Theodosius, however, would not permit such idolatrous worship in the dominions of a Christian emperor. After the defeat of Maximus, he ordered all the temples in Rome to be closed, and prohibited the use of sacrifices which he declared to be criminal as well as infamous. A special commission was granted to officers of distinguished rank, by which they were directed to shut the temples, to seize

* Honorius was made Augustus Nov. 20th, 393; Arcadius had been declared Augustus as early as 383.

or destroy the instruments of idolatry, to abolish the privileges of the priests, and to confiscate the consecrated property for the benefit of the emperor, of the church, or of the army. Finally, an edict of Theodosius (A.D. 390) made the act of sacrificing and the practice of divination by the entrails of the victim a crime of high-treason against the state, which could be expiated only by the death of the guilty. The rites of Pagan superstition which might seem less bloody and atrocious are abolished as highly injurious to the truth and honour of religion; luminaries, garlands, frankincense, and libations of wine are specially enumerated and condemned; and the harmless claims of the domestic genius, of the household gods, are included in this rigorous proscription. The use of any of these profane and illegal ceremonies subjects the offender to the forfeiture of the house or estate where they have been performed; and if he has artfully chosen the property of another for the scene of his impiety, he is compelled to discharge, without delay, a heavy fine of 25 pounds of gold, or more than 1000 pounds sterling. Such was the persecuting spirit of the laws of Theodosius, which were repeatedly enforced by his sons and grandsons, with the loud and unanimous applause of the Christian world.

[Schiller, *Geschichte der Römischen Kaiserzeit*, III. iv. §§ 31–33; Ranke, *Weltgeschichte*, IV. i. c. 6; Hodgkin, *Italy and her Invaders*, bk. i. cc. 4–6; Richter, *Das Weströmische Reich, besonders unter den Kaisern Gratian, Valentinian II. und Maximus.*

Gibbon's theory of the Huns—the identification of them with the Heungnoo or Hiungnu of the Chinese Annals—was based on De Guignes, *Histoire Générale des Huns, des Turcs, des Mongols, et des autres Tartares Occidentaux* (1756–1758), and this account is followed by those who give them an origin akin to that of the Turks, *e.g.* E. H. Parker, *A Thousand Years of the Tartars* and *The Origin of the Turks* (in *English Historical Review*, No. 43, July, 1896). The other line of inquiry, according to which the Huns, like the præ-Slavonian Bulgarians, are of Finnic origin, is represented by Rösler, *Römanische Studien*, p. 233 ff.]

Gold Medallion of Theodosius the Great as *Restitutor Reipublicæ*.

Basilica of St. Paul at Rome, outside the walls, finished by Honorius.

## CHAPTER XV.

### THE WESTERN EMPIRE DURING THE REIGN OF HONORIUS.

§ 1. Division of the empire between Arcadius and Honorius. § 2. Character and administration of Rufinus: marriage of Arcadius. § 3. Stilicho: death of Rufinus: Arcadius governed by the eunuch Eutropius. § 4. Invasion of Greece by Alaric. § 5. Defeat and death of Gildo: marriage of Honorius. § 6. Invasion of Italy by Alaric: battle of Pollentia and retreat of Alaric. § 7. The triumph of Honorius at Rome: the gladiators abolished: Honorius fixes his residence at Ravenna. § 8. Radagaisus invades Italy: his defeat and death. § 9. The Vandals and other barbarians enter Gaul. § 10. Revolt of Constantine in Britain: he is acknowledged in Gaul and Spain. § 11. Negotiation of Alaric and Stilicho: death of Stilicho. § 12. First siege of Rome by the Goths. § 13. Second siege of Rome by the Goths: elevation and degradation of Attalus. § 14. Third siege of Rome by the Goths. § 15. The Goths ravage Italy: death of Alaric. § 16. Adolphus succeeds Alaric, concludes a peace with the empire, and marches into Gaul. § 17. The Goths conquer Gaul and Spain, and restore those countries to Honorius: the Goths established in Aquitain. § 18. Revolt of Britain and Armorica. § 19. Death of Honorius.

Division of the empire between Arcadius and Honorius.

§ 1. THE genius of Rome expired with Theodosius, the last of the successors of Augustus and Constantine who appeared in the field at the head of their armies, and whose authority was universally acknowledged throughout the whole extent of the empire. The memory of his virtues still continued, however, to protect the feeble and inexperienced youth of his two sons. After the death of their father, Arcadius and Honorius were saluted, by the unanimous consent of mankind, as the lawful emperors of the East and of the West (A.D. 395, Jan. 17). Arcadius, who then was about 18 years of age, reigned over the East; his younger brother, Honorius, assumed, in the 11th year of his age, the nominal government of the West. The great and martial præfecture of Illyricum was divided between the two princes: the defence and possession of the provinces of Noricum, Pannonia, and Dalmatia, still belonged to the Western empire; but the two large dioceses of Dacia and Macedonia, which Gratian had intrusted to the valour of Theodosius, were for ever united to the empire of the East.

Character and administration of Rufinus: marriage of Arcadius.

§ 2. But the real rulers of the empire were Rufinus in the East and Stilicho in the West. Theodosius had tarnished the glory of his reign by the elevation of Rufinus to the dignity of præfect of the East; an odious favourite, who, in an age of civil and religious faction, has deserved, from every party, the imputation of every crime. The character of Theodosius imposed on his minister the task of hypocrisy, which disguised, and sometimes restrained, the abuse of power; but the death of the emperor confirmed the absolute authority of Rufinus over Arcadius, a feeble youth, whom the imperious præfect considered as his pupil rather than his sovereign. Regardless of the public opinion, he indulged his passions without remorse and without resistance. He aspired to marry his daughter Maria to the young emperor; but during his absence at Antioch the eunuch Eutropius, the great chamberlain of the palace,* secretly undermined his power, and persuaded Arcadius to marry the fair Eudoxia, the daughter of Bauto, a general of the Franks in the service of Rome.† Though Rufinus had been thus bitterly disappointed in the great object of his ambition, he still exercised an uncontrolled authority over the civil and military government of the East, and thus possessed the most effectual means of defending his dignity and crushing his enemies. But his career was suddenly cut short by the formidable Stilicho, the master-general of the West.

Stilicho: death of Rufinus: Arcadius governed by the eunuch Eutropius.

§ 3. The praises of Stilicho have been celebrated by the muse of Claudian; and these two names shed a lustre upon the declining state of Roman ability and Roman genius. The victories of Stilicho and the poetry of Claudian are worthy of the better ages of the state. Stilicho embraced from his earliest youth the profession of arms; he was married by Theodosius to Serena,

* *Præpositus sacri cubiculi.* See ch. x. § 18.

† He had been *magister militum per Orientem.* See ch. x. § 16.

the daughter of his brother Honorius; was raised by that emperor to the supreme rank of master-general of all the cavalry and infantry of the Roman, or at least of the Western empire,* and upon the death of Theodosius claimed the guardianship of the two empires during the minority of Arcadius and Honorius, who had been recommended to his care by the dying monarch in the last moments of his life. The person and court of Honorius were subject to the master-general of the West,† but Rufinus asserted his equal reign over the emperor and the empire of the East.

The civil war with Eugenius had brought a large number of the Eastern legions into Italy. Stilicho declared his intention of reconducting in person these troops, and he dexterously employed the rumour of a Gothic tumult to conceal his private designs of ambition and revenge. The guilty soul of Rufinus was alarmed by the approach of a warrior and a rival whose enmity he deserved; and, as the last hope of safety, he interposed the authority of the emperor Arcadius. Stilicho was not far distant from the city of Thessalonica when he received a peremptory message to recall the troops of the East,‡ and to declare that *his* nearer approach would be considered by the Byzantine court as an act of hostility. The prompt and unexpected obedience of the general of the West convinced the vulgar of his loyalty and moderation; and, as he had already engaged the affection of the Eastern troops, he recommended to their zeal the execution of his bloody design. Stilicho left the command of the troops of the East to Gainas, the Goth, on whose fidelity he firmly relied. The soldiers were easily persuaded to punish the enemy of Stilicho and of Rome; and such was the general hatred which Rufinus had excited, that the fatal secret, communicated to thousands, was faithfully preserved during the long march from Thessalonica to the gates of Constantinople. At the distance of a mile from the capital the troops halted; and the emperor, as well as his minister, advanced, according to ancient custom, respectfully to salute the power which supported their throne. As Rufinus passed along the ranks, and disguised, with studied courtesy, his innate haughtiness, the wings insensibly wheeled from the right and left, and enclosed the devoted victim within the circle of their arms. Before he could reflect on the danger of his situation, Gainas gave the signal of death; a daring and forward soldier plunged his sword into the breast of the guilty præfect, and Rufinus fell, groaned, and expired, at the feet of the affrighted emperor (A.D. 395, Nov. 27). But Stilicho did not derive from the murder of his rival the fruit which he had proposed; and, though he gratified

* *Magister utriusque militiæ.* See ch. x. § 16.

† Stilicho was himself a Vandal—a fact which it is important to remember, for the struggle between him and his rivals was that between the Germanising and the Romanising party in the Western Empire.

‡ *I.e.* to Constantinople.

his revenge, his ambition was disappointed. Under the name of a favourite, the weakness of Arcadius required a master, but he naturally preferred the obsequious arts of the eunuch Eutropius, who had obtained his domestic confidence; and the emperor contemplated with terror and aversion the stern genius of a foreign warrior. Till they were divided by the jealousy of power, the sword of Gainas, and the charms of Eudoxia, supported the favour of the great chamberlain of the palace: the perfidious Goth, who was appointed master-general of the East, betrayed, without scruple, the interest of his benefactor; and the same troops who had so lately massacred the enemy of Stilicho were engaged to support, against him, the independence of the throne of Constantinople. The prudent Stilicho, instead of persisting to force the inclinations of a prince and people who rejected his government, wisely abandoned Arcadius to his unworthy favourites. The subjects of Arcadius and Honorius became estranged from each other; and the distinction of two governments is a reason for suspending the series of the Byzantine history, and prosecuting, without interruption, the disgraceful but memorable reign of Honorius.

Invasion of Greece by Alaric.

§ 4. The death of the great Theodosius was speedily followed by the revolt of the Goths, who were now directed by the bold and artful genius of Alaric. Thrace and Dacia had hitherto been the scene of the Gothic ravages; but Alaric, disdaining to trample any longer on these prostrate and ruined countries, resolved to seek a plentiful harvest of fame and riches in a province which had hitherto escaped the ravages of war. In the summer of A.D. 395 he entered Macedonia, and in the course of this and the following year he carried his ravages into almost every district of Greece. In A.D. 396 Stilicho marched into Peloponnesus to chastise the invaders. He surrounded the Gothic army upon the borders of Elis and Arcadia; but Alaric broke through the lines of circumvallation which were formed to prevent his escape, and conducted his army in safety across the mouth of the gulf of Corinth.* The ministers of Arcadius, anxious to remove the formidable Stilicho from the dominions of their master, formed a treaty with the leader of the Goths, and promoted the invader of Greece to the rank of master-general of the Eastern Illyricum. The apprehension of a civil war compelled Stilicho to retire, at the haughty mandate of his rivals, from the dominions of Arcadius; and he respected, in the enemy of Rome, the honourable character of the ally and servant of the emperor of the East.

Defeat and death of Gildo: marriage of Honorius.

§ 5. Stilicho was now at leisure to direct his arms against

* This escape of Alaric is attributed by Zosimus (V. 7) to mere slackness on Stilicho's part. It has been suspected, however, that the Roman general entered into some secret arrangement with Alaric—a suspicion which gains strength from the very similar action of Stilicho, when he had Alaric at his mercy in 403 (cf. § 6). See Dahn, *Könige der Germanen*, V. p. 34.

Gildo, the Moor who maintained in Africa a proud and dangerous independence. Gildo, the brother of the tyrant Firmus, had been invested by Theodosius with the military command of Africa. His ambition soon usurped the administration of justice and of the finances, without account and without control; and he maintained, during a reign of twelve years, the possession of an office from which it was impossible to remove him without the danger of a civil war. Upon the death of Theodosius, Gildo had consented to govern that extensive country in the name of Honorius; but his knowledge of the character and designs of Stilicho soon engaged him to address his homage to the ministers of Arcadius, who embraced the cause of a perfidious rebel.* Stilicho intrusted the command of the African expedition to Mascezel, who had been expelled from Africa by his brother Gildo, and whose two innocent children had been murdered by their inhuman uncle. In one campaign the war was brought to a close. Gildo was defeated in battle, and put an end to his own life (A.D. 398). The conquest of Africa was followed by the nuptials of the emperor Honorius and of his cousin Maria, the daughter of Stilicho; and this equal and honourable alliance seemed to invest the powerful minister with the authority of a parent over his submissive pupil.

Invasion of Italy by Alaric: battle of Pollentia and retreat of Alaric.

§ 6. The power of Alaric continued to increase. The glory of his past exploits, and the confidence in his future designs, insensibly united the body of the nation under his victorious standard; and, with the unanimous consent of the barbarian chieftains, the master-general of Illyricum was elevated, according to ancient custom, on a shield, and solemnly proclaimed king of the Visigoths. Armed with this double power, seated on the verge of the two empires, he alternately sold his deceitful promises to the courts of Arcadius and Honorius, till he declared and executed his resolution of invading the dominions of the West. The provinces of Europe which belonged to the Eastern emperor were already exhausted, those of Asia were inaccessible, and the strength of Constantinople had resisted his attack. But he was tempted by the fame, the beauty, the wealth of Italy, which he had twice visited; and he secretly aspired to plant the Gothic standard on the walls of Rome, and to enrich his army with the accumulated spoils of three hundred triumphs.

Towards the end of the year 402 Alaric crossed the Alps, and appeared under the walls of Milan, before Stilicho had been able to assemble a sufficient body of troops to repel the invader. Honorius fled to the impregnable fortress of Ravenna, and Stilicho hastily crossed the Alps in the middle of winter to collect from Gaul, Germany, and Britain an army for the defence of Italy. Such was the energy of Stilicho that early in the

* Negotiations were certainly entered into between Gildo and the ministers of Arcadius, but it does not appear that the Eastern court made any definite promises. See Bury, *Later Roman Empire*, bk. ii. c. 1.

spring of the following year Alaric was gradually invested on every side by the troops of the West, who successively issued through all the passes of the Alps; and at Easter a general attack was made upon his camp, which he had pitched in the neighbourhood of Pollentia, about 25 miles to the south-east of Turin. The battle which ensued, and which is one of the most memorable in the sinking fortunes of the Roman empire, ended with the overthrow of the Gothic army. In the evening of the bloody day the Goths retreated from the field of battle; the entrenchments of their camp were forced, and the scene of rapine and slaughter made some atonement for the calamities which they had inflicted on the subjects of the empire. But Alaric possessed the invincible temper of mind which rises superior to every misfortune, and derives new resources from adversity. After the total defeat of his infantry he escaped from the field of battle, with the greatest part of his cavalry entire and unbroken. Without wasting a moment to lament the irreparable loss of so many brave companions, he boldly resolved to break through the unguarded passes of the Apennines, and to conquer or die before the gates of Rome. The capital was saved by the active and incessant diligence of Stilicho; but he respected the despair of his enemy; and, instead of committing the fate of the republic to the chance of another battle, he proposed to purchase the absence of the barbarians. The spirit of Alaric would have rejected such terms, the permission of a retreat, and the offer of a pension, with contempt and indignation; but the Gothic chieftains compelled him to accept the proposals of Stilicho; he ratified the treaty with the empire of the West, and repassed the Po with the remains of the flourishing army which he had led into Italy.

The triumph of Honorius at Rome: the gladiators abolished: Honorius fixes his residence at Ravenna.

§ 7. The citizens of Rome had been astonished by the approach of Alaric; and the diligence with which they laboured to restore the walls of the capital * confessed their own fears, and the decline of the empire. After the retreat of the barbarians, Honorius was directed to accept the dutiful invitation of the senate, and to celebrate, in the Imperial city, the auspicious æra of the Gothic victory (A.D. 404). The triumphal procession was followed by games, in which the inhuman combats of gladiators polluted for the last time the amphitheatre of Rome. It was owing to the generous boldness of Telemachus, a Christian monk, that the horrid custom was abolished. He had descended into the arena to separate the gladiators; but the Romans were provoked by the interruption of their pleasures; and the rash monk was overwhelmed under a shower of stones. The madness of the people soon subsided; they respected the memory

* Some inscriptions found on Roman gates commemorate the restoration of the fortifications of Rome by Honorius (*Corpus Inscriptionum Latinarum*, vi. nn. 1188–1190); they are dedicated to the *invictissimi principes Arcadius et Honorius . . . ob instauratos urbi æternæ muros portas ac turres.* The fortifications thus restored were those of Aurelian (see ch. vi. § 4).

of Telemachus, who had deserved the honours of martyrdom; and they submitted, without a murmur, to the laws of Honorius, which abolished for ever the human sacrifices of the amphitheatre.

The recent danger to which the person of the emperor had been exposed in the defenceless palace of Milan urged him to fix his residence in the inaccessible fortress of Ravenna upon the Adriatic. The adjacent country, to the distance of many miles, was a deep and impassable morass; and the artificial causeway which connected Ravenna with the Continent might be easily guarded or destroyed on the approach of an hostile army. The example of Honorius was imitated by his feeble successors, by the Gothic kings, and afterwards by the Exarchs, who occupied the throne and palace of the emperors; and till the middle of the eighth century Ravenna was considered as the seat of government and the capital of Italy.

Radagaisus invades Italy: his defeat and death.

§ 8. The fears of Honorius were not without foundation, nor were his precautions without effect. While Italy rejoiced in her deliverance from the Goths, another barbarian, the haughty Radegast, or Radagaisus, marched from the plains of the Vistula almost to the gates of Rome, and left the remains of his army to achieve the destruction of the West. The Vandals* formed the strength of this mighty host, and they were joined by the Suevi and Burgundians, who were also Germans, and by the Scythian Alani. In A.D. 405 the king of this confederate host passed without resistance the Alps, the Po, and the Apennines; leaving on one hand the inaccessible palace of Honorius securely buried among the marshes of Ravenna, and, on the other, the camp of Stilicho, who had fixed his headquarters at Ticinum, or Pavia, but who seems to have avoided a decisive battle till he had assembled his distant forces. Many cities of Italy were pillaged or destroyed; and the siege of Florence by Radagaisus is one of the earliest events in the history of that celebrated republic, whose firmness checked and delayed the unskilful fury of the barbarians. The senate and people trembled at their approach within 180 miles of Rome, and anxiously compared the danger which they had escaped with the new perils to which they were exposed. Alaric was a Christian and a soldier, the leader of a disciplined army; who

* The Vandals belonged to the great German family, and probably to the low-German branch (see ch. v. § 2). According to Procopius (*Bellum Vandalicum*, i. 2) they differed little in physical type, laws, and religion from the Goths, Visigoths, and Gepids. The first mentions of the race are made by Pliny the Elder (*Historia Naturalis*, iv. 28) and by Tacitus (*Germania*, c. 3). Their earliest known home was on the Baltic, east of the Elbe. From thence they passed westward; but it was probably not until the time of the Marcomannic war of M. Aurelius that they entered the lands about the Danube. Some Vandal tribes were conquered by this emperor in A.D. 171–173 (*Vita M. Antonini*, c. 17). For their conquest by Probus cf. ch. vi. § 14. See Dahn, *Könige der Germanen*, i. c. 5, p. 141, and for the little that is known of Vandalic organisation, Bethmann-Hollweg, *Civilprozess des Gemeinen Rechts*, IV. i. p. 129, ff. For the Burgundians and Alani, see ch. xiii. § 10, and ch. iv. § 1.

understood the laws of war, who respected the sanctity of treaties, and who had familiarly conversed with the subjects of the empire in the same camps and the same churches. The savage Radagaisus was a stranger to the manners, the religion, and even the language of the civilised nations of the South. The fierceness of his temper was exasperated by cruel superstition; and it was universally believed that he had bound himself by a solemn vow to reduce the city into a heap of stones and ashes, and to sacrifice the most illustrious of the Roman senators on the altars of those gods who were appeased by human blood.

Florence was reduced to the last extremity, when Stilicho advanced with his united force to the relief of the faithful city. Conscious that he commanded the *last* army of the republic, his prudence would not expose it in the open field to the headstrong fury of the Germans. The method of surrounding the enemy with strong lines of circumvallation, which he had twice employed against the Gothic king, was repeated on a larger scale and with more considerable effect. The imprisoned multitude of horses and men was gradually destroyed by famine rather than by the sword; and the proud monarch of so many warlike nations, after the loss of his bravest warriors, was reduced to confide either in the faith of a capitulation, or in the clemency of Stilicho. But the death of the royal captive, who was ignominiously beheaded, disgraced the triumph of Rome and of Christianity. Stilicho informed the emperor and the senate of his success, and deserved a second time the glorious title of Deliverer of Italy.

The Vandals and other barbarians enter Gaul.

§ 9. After the defeat of Radagaisus, two parts of his army, which must have exceeded the number of 100,000 men, still remained in arms. It is uncertain whether they attempted to revenge the death of their general; but their irregular fury was soon diverted by the prudence and firmness of Stilicho, who opposed their march and facilitated their retreat, who considered the safety of Rome and Italy as the great object of his care, and who sacrificed with too much indifference the wealth and tranquillity of the distant provinces. The barbarians acquired, from the junction of some Pannonian deserters, the knowledge of the country and of the roads, at length crossed the Rhine, and entered without opposition the defenceless provinces of Gaul.* This memorable passage of the Vandals, the Suevi, the Alani, and the Burgundians, who never afterwards retreated, may be considered as the fall of the Roman empire in the countries beyond the Alps; and the barriers which had so long separated the savage and the civilised nations of the earth were from that fatal moment levelled with the ground. The frontiers of Gaul had enjoyed for many years a state of quiet and prosperity; but the consuming flames of war spread from the banks of the Rhine over the greatest part of the seventeen

* See Appendix on "The Germanic invasion of Gaul in A.D. 406."

provinces of Gaul. That rich and extensive country, as far as the ocean, the Alps, and the Pyrenees, was delivered to the barbarians, who destroyed the cities, ravaged the fields, and drove before them in a promiscuous crowd the bishop, the senator, and the virgin, laden with the spoils of their houses and altars (A.D. 406).

Revolt of Constantine in Britain: he is acknowledged in Gaul and Spain.

§ 10. While the neighbouring provinces of Gaul were suffering these calamities, the island of Britain was again disturbed, as in the age of Gallienus, by the spirit of revolt. After the British legions had successively placed upon the throne two emperors, whom they almost immediately afterwards murdered, their third choice fell upon a private soldier, whose only recommendation was that he bore the name of the great Constantine (A.D. 407). The authority of the new emperor was less precarious, and his government was more successful, than the transient reigns of his two predecessors. The danger of leaving his inactive troops in those camps which had been twice polluted with blood and sedition urged him to attempt the reduction of the Western provinces. He landed at Boulogne with an inconsiderable force, and summoned the cities of Gaul, which had escaped the yoke of the barbarians, to acknowledge their lawful sovereign. They obeyed the summons without reluctance. The neglect of the court of Ravenna had absolved a deserted people from the duty of allegiance; and the submission of Gaul was followed by that of Spain, which yielded to the influence of regular and habitual subordination, and received the laws and magistrates of the Gallic præfecture.*

Negotiation of Alaric and Stilicho: death of Stilicho.

§ 11. Meantime Alaric and Stilicho had been engaged in negotiations. Soon after his retreat from Italy, the king of the Goths renounced the service of the emperor of the East, and concluded with the court of Ravenna a treaty of peace and alliance. Misunderstandings, however, soon arose; but Stilicho pacified Alaric by the promise of a sum of 4000 pounds of gold. Stilicho, who knew the power of the Gothic king, feared to provoke his resentment, and continued to cultivate his friendly connexion with the Gothic court; but the troops, who still assumed the name and prerogatives of the Roman legions, were exasperated by the partial affection of Stilicho for the barbarians; and the people imputed to the mischievous policy of the minister the public misfortunes which were the natural consequence of their own degeneracy. Yet Stilicho might have continued to brave the clamours of the people, and even of the soldiers, if he could have maintained his dominion over the feeble mind of his

* Both in Gaul and Spain Constantine, on the one hand, and the Germanic invaders, on the other, maintained themselves side by side. A kind of tacit agreement must have determined their respective spheres of influence. Central and Western Gaul must have been held mainly by the Teutons, Constantine possessing the whole extent of Eastern Gaul with the Imperial cities of Augusta Treverorum and Arelate. See Freeman, *Tyrants of Britain, Gaul, and Spain* in *English Historical Review*, Jan., 1886.

pupil. But the respectful attachment of Honorius was converted into fear, suspicion, and hatred. The crafty Olympius had secretly undermined the benefactor by whose favour he was promoted to the honourable offices of the Imperial palace. Olympius revealed to the unsuspecting emperor, who had attained the 25th year of his age, that he was without weight or authority in his own government; and artfully alarmed his timid and indolent disposition by a lively picture of the designs of Stilicho, who already meditated the death of his sovereign, with the ambitious hope of placing the diadem on the head of his son Eucherius. The emperor was instigated by his new favourite to assume the tone of independent dignity; and the minister was astonished to find that secret resolutions were formed in the court and council, which were repugnant to his interest, or to his intentions. Honorius repaired to the camp of Pavia, which was composed of the Roman troops, the enemies of Stilicho and of his barbarian auxiliaries. Here he pronounced, as he had been taught, a military oration in the presence of the soldiers, whom Olympius had prepared to execute a dark and bloody conspiracy. At the first signal they massacred the friends of Stilicho, the most illustrious officers of the empire; the furious sedition continued to rage till the close of the evening; and the trembling emperor yielded to the persuasions of his favourite, condemned the memory of the slain, and solemnly approved the innocence and fidelity of their assassins. When the intelligence of this massacre reached Stilicho, who was in the camp of Bologna, he was urged by his friends to place himself at the head of his troops and to march without a moment's delay against the guilty Olympius and his degenerate Romans. Instead of executing a resolution which might have been justified by success, Stilicho hesitated till he was irrecoverably lost, and his confidence or his despair urged him to throw himself into Ravenna, which was already in the absolute possession of his enemies. Olympius, who had assumed the dominion of Honorius, was speedily informed that his rival had embraced, as a suppliant, the altar of the Christian church. The base and cruel disposition of the hypocrite was incapable of pity or remorse; but he piously affected to elude, rather than to violate, the privilege of the sanctuary. Count Heraclian, with a troop of soldiers, appeared at the dawn of day before the gates of the church of Ravenna. The bishop was satisfied by a solemn oath that the Imperial mandate only directed them to secure the person of Stilicho; but, as soon as the unfortunate minister had been tempted beyond the holy threshold, Heraclian produced the warrant for his instant execution. Stilicho supported with calm resignation the injurious names of traitor and parricide; repressed the unseasonable zeal of his followers, who were ready to attempt an ineffectual rescue; and, with a firmness not unworthy of the last of the Roman generals, submitted his neck to the sword of Heraclian (A.D. 408, August 23).

First siege of Rome by the Goths.

§ 12. The death of Stilicho removed Rome's sole defence against the arms of the barbarian. The folly and weakness of the ministers of Honorius gave the Gothic king a fair and reasonable pretext for renewing the war; while their cruelty handed over to Alaric the only army that was able to resist the Goths. The foreign auxiliaries who had been attached to the person of Stilicho lamented his death; but the desire of revenge was checked by a natural apprehension for the safety of their wives and children, who were detained as hostages in the strong cities of Italy, where they had likewise deposited their most valuable effects. At the same hour, and as if by a common signal, the cities of Italy were polluted by the same horrid scenes of universal massacre and pillage, which involved in promiscuous destruction the families and fortunes of the barbarians. Exasperated by such an injury, which might have awakened the tamest and most servile spirit, they cast a look of indignation and hope towards the camp of Alaric, and unanimously swore to pursue with just and implacable war the perfidious nation that had so basely violated the laws of hospitality. The pressing invitation of the malcontents, who urged the king of the Goths to invade Italy, was enforced by a lively sense of his personal injuries; and he might speciously complain that the Imperial ministers still delayed and eluded the payment of the 4000 pounds of gold which had been promised to him. His decent firmness was supported by an artful moderation, which contributed to the success of his designs. He required a fair and reasonable satisfaction; but he gave the strongest assurances that, as soon as he had obtained it, he would immediately retire. He refused to trust the faith of the Romans, unless the sons of two great officers of state were sent as hostages to his camp: but he offered to deliver in exchange several of the noblest youths of the Gothic nation. The modesty of Alaric was interpreted by the ministers of Ravenna as a sure evidence of his weakness and fear. They disdained either to negotiate a treaty or to assemble an army; and with a rash confidence, derived only from their ignorance of the extreme danger, irretrievably wasted the decisive moments of peace and war. While they expected, in sullen silence, that the barbarians should evacuate the confines of Italy, Alaric, with bold and rapid marches, passed the Alps and the Po, hastily pillaged many of the chief cities of Italy, and at length pitched his camp under the walls of Rome. By a skilful disposition of his numerous forces, Alaric encompassed the walls, intercepted all communication with the adjacent country, and vigilantly guarded the navigation of the Tiber, from which the Romans derived the surest and most plentiful supply of provisions. The unfortunate city gradually experienced the distress of scarcity, and at length the horrid calamities of famine. The daily allowance of three pounds of bread was reduced to one-half, to one-third, to nothing; and the

price of corn still continued to rise in a rapid and extravagant proportion. The food the most repugnant to sense or imagination, the aliments the most unwholesome and pernicious to the constitution, were eagerly devoured, and fiercely disputed, by the rage of hunger. Many thousands of the inhabitants of Rome expired in their houses, or in the streets, for want of sustenance; and as the public sepulchres without the walls were in the power of the enemy, the stench which arose from so many putrid and unburied carcasses infected the air; and the miseries of famine were succeeded and aggravated by the contagion of a pestilential disease. The relief which was repeatedly promised by the court of Ravenna never appeared; and the last resource of the Romans was in the clemency, or at least in the moderation, of the king of the Goths. The senate, who in this emergency assumed the supreme powers of government, appointed two ambassadors to negotiate with the enemy. When they were introduced into the presence of the Gothic king, they declared, perhaps in a more lofty style than became their abject condition, that the Romans were resolved to maintain their dignity, either in peace or war; and that, if Alaric refused them a fair and honourable capitulation, he might prepare to give battle to an innumerable people, exercised in arms and animated by despair. "The thicker the hay, the easier it is mowed," was the concise reply of the barbarian; and this rustic metaphor was accompanied by a loud and insulting laugh, expressive of his contempt for the menaces of an unwarlike populace, enervated by luxury before they were emaciated by famine. He then condescended to fix the ransom which he would accept as the price of his retreat from the walls of Rome: *all* the gold and silver in the city, whether it were the property of the state, or of individuals; *all* the rich and precious moveables; and *all* the slaves who could prove their title to the name of *barbarians*. The ministers of the senate presumed to ask, in a modest and suppliant tone, "If such, O king! are your demands, what do you intend to leave us?" "YOUR LIVES," replied the haughty conqueror: they trembled and retired. Yet before they retired, a short suspension of arms was granted, which allowed some time for a more temperate negotiation. The stern features of Alaric were insensibly relaxed; he abated much of the rigour of his terms; and at length consented to raise the siege, on the immediate payment of 5000 pounds of gold, of 30,000 pounds of silver, of 4000 robes of silk, of 3000 pieces of fine scarlet cloth, and of 3000 pounds weight of pepper.* As soon as the Romans had satisfied the rapacious demands of Alaric, he slowly retired into the fair and fruitful province of Tuscany, where he proposed to establish his winter-quarters (December, A.D. 408).

Second siege of Rome by the Goths: elevation

§ 13. The winter was employed in negotiations for peace,

* The "pepper" (πέπερι, Zosimus, v. 41) doubtless included spices and aromatics of all kinds.

which Alaric, who still aspired to the rank of master-general of the armies of the West, was willing to grant.* But the hopes of peace were disappointed by the weak obstinacy of the ministers of Honorius, who sternly refused to prostitute the military honours of Rome to the proud demands of a barbarian. Alaric, who in the whole transaction had behaved with temper and decency, expressed in the most outrageous language his lively sense of the insult so wantonly offered to his person and to his nation. He straightway advanced against Rome, but instead of assaulting the city, he successfully directed his efforts against the *Port* of Ostia,† where the corn of Africa was deposited in spacious granaries for the use of the capital. As soon as Alaric was in possession of that important place he summoned the city to surrender at discretion; and his demands were enforced by the positive declaration that a refusal, or even a delay, should be instantly followed by the destruction of the magazines on which the life of the Roman people depended. The clamours of that people and the terror of famine subdued the pride of the senate; they listened without reluctance to the proposal of placing a new emperor on the throne of the unworthy Honorius; and the suffrage of the Gothic conqueror bestowed the purple on Attalus, præfect of the city. The grateful monarch immediately acknowledged his protector as master-general of the armies of the West; and the two hostile nations seemed to be united in the closest bands of friendship and alliance (A.D. 409).

and degradation of Attalus.

Attalus, however, did not long enjoy his nominal sovereignty. Heraclian, the count of Africa, remained faithful to Honorius, and his vigilance in preventing the exportation of corn and oil introduced famine, tumult, and discontent into the walls of Rome. Attalus attempted to make himself independent of Alaric; and the most imprudent measures were adopted, without the knowledge or against the advice of the king of the Goths. As Attalus had ceased to be of service to the designs of Alaric, he was publicly despoiled of the diadem and purple; and those ensigns of royalty were sent by Alaric as the pledge of peace and friendship to the son of Theodosius. The degraded emperor of the Romans, desirous of life and insensible of disgrace, implored the permission of following the Gothic camp in the train of a haughty and capricious barbarian.

§ 14. The degradation of Attalus removed the only real obstacle to the conclusion of the peace, and Alaric advanced within three miles of Ravenna to press the irresolution of the Imperial ministers, whose insolence soon returned with the return of fortune. His indignation was kindled by the report

Third siege of Rome by the Goths.

* As an alternative to the rank of *magister utriusque militiæ* he had, as his earlier terms, demanded the cession of the provinces of Venetia, Noricum, and Dalmatia (Zosimus, v. 48). They were subsequently reduced to a demand for Noricum (Zosimus, v. 50).

† Cf. ch. xxii. § 6.

that Sarus, a rival chieftain, and the hereditary foe of his house, had been received into the palace. At the head of 300 followers that fearless barbarian immediately sallied from the gates of Ravenna, surprised and cut in pieces a considerable body of Goths, re-entered the city in triumph, and was permitted to insult his adversary by the voice of a herald, who publicly declared that the guilt of Alaric had for ever excluded him from the friendship and alliance of the emperor. The crime and folly of the court of Ravenna was expiated a third time by the calamities of Rome. The king of the Goths, who no longer dissembled his appetite for plunder and revenge, appeared in arms under the walls of the capital; and the trembling senate, without any hopes of relief, prepared by a desperate resistance to delay the ruin of their country. But they were unable to guard against the secret conspiracy of their slaves and domestics, who either from birth or interest were attached to the cause of the enemy. At the hour of midnight the Salarian gate was silently opened, and the inhabitants were awakened by the tremendous sound of the Gothic trumpet. Eleven hundred and sixty-three years after the foundation of Rome, the Imperial city, which had subdued and civilised so considerable a part of mankind, was delivered to the licentious fury of the tribes of Germany and Scythia (A.D. 410, August 24).

The proclamation of Alaric, when he forced his entrance into a vanquished city, discovered, however, some regard for the laws of humanity and religion. He encouraged his troops boldly to seize the rewards of valour, and to enrich themselves with the spoils of a wealthy and effeminate people; but he exhorted them at the same time to spare the lives of the unresisting citizens, and to respect the churches of the apostles St. Peter and St. Paul as holy and inviolable sanctuaries. Amidst the horrors of a nocturnal tumult several of the Christian Goths displayed the fervour of a recent conversion; but many thousand warriors, more especially of the Huns who served under the standard of Alaric, were strangers to the Christian faith, and we may suspect, without any breach of charity or candour, that in the hour of savage licence, when every passion was inflamed and every restraint was removed, the precepts of the Gospel seldom influenced the behaviour of the Gothic Christians. The writers the best disposed to exaggerate their clemency have freely confessed that a cruel slaughter was made of the Romans, and that the streets of the city were filled with dead bodies, which remained without burial during the general consternation. The despair of the citizens was sometimes converted into fury; and whenever the barbarians were provoked by opposition, they extended the promiscuous massacre to the feeble, the innocent, and the helpless. The private revenge of 40,000 slaves was exercised without pity or remorse,* and the ignominious lashes which they had formerly

* The number 40,000 is given by Zosimus (v. 42). These slaves had

received were washed away in the blood of the guilty or obnoxious families. In the pillage of Rome a just preference was given to gold and jewels, which contain the greatest value in the smallest compass and weight; but, after these portable riches had been removed by the more diligent robbers, the palaces of Rome were rudely stripped of their splendid and costly furniture. The sideboards of massy plate, and the variegated wardrobes of silk and purple, were irregularly piled in the waggons that always followed the march of a Gothic army. The most exquisite works of art were roughly handled or wantonly destroyed: many a statue was melted for the sake of the precious materials; and many a vase, in the division of the spoil, was shivered into fragments by the stroke of a battle-axe. The edifices of Rome, though the damage has been much exaggerated, received some injury from the violence of the Goths. At their entrance through the Salarian gate they fired the adjacent houses to guide their march and to distract the attention of the citizens; the flames, which encountered no obstacle in the disorder of the night, consumed many private and public buildings, and the ruins of the palace of Sallust remained in the age of Justinian a stately monument of the Gothic conflagration.

The Goths ravage Italy: death of Alaric.

§ 15. The retreat of the victorious Goths, who evacuated Rome on the sixth day, might be the result of prudence, but it was not surely the effect of fear. At the head of an army encumbered with rich and weighty spoils, their intrepid leader advanced along the Appian Way into the southern provinces of Italy, destroying whatever dared to oppose his passage, and contenting himself with the plunder of the unresisting country. Above four years elapsed from the successful invasion of Italy by the arms of Alaric, to the voluntary retreat of the Goths under the conduct of his successor Adolphus (A.D. 408–412); and, during the whole time, they reigned without control over a country which, in the opinion of the ancients, had united all the various excellencies of nature and art. Each soldier claimed an ample portion of the substantial plenty, the corn and cattle, oil and wine, that was daily collected, and consumed in the Gothic camp; and the principal warriors insulted the villas and gardens, once inhabited by Lucullus and Cicero, along the beauteous coast of Campania. Their trembling captives, the sons and daughters of Roman senators, presented, in goblets of gold and gems, large draughts of Falernian wine to the haughty victors, who stretched their huge limbs under the shade of plane-trees, artificially disposed to exclude the scorching rays, and to admit the genial warmth, of the sun. These delights were enhanced by the memory of past hardships: the comparison of their native soil, the bleak and barren hills of

deserted from Rome to Alaric, after his retirement from the first siege of the city, at the end of the year 408 (§ 12).

Scythia, and the frozen banks of the Elbe and Danube added new charms to the felicity of the Italian climate.

Whether fame, or conquest, or riches were the object of Alaric, he pursued that object with an indefatigable ardour which could neither be quelled by adversity nor satiated by success. No sooner had he reached the extreme land of Italy than he was attracted by the neighbouring prospect of the fertile and peaceful island of Sicily. But as soon as the first division of the Goths had embarked to cross the straits of Rhegium and Messina, a sudden tempest arose, which sunk or scattered many of the transports; their courage was daunted by the terrors of a new element; and the whole design was defeated by the premature death of Alaric, which fixed, after a short illness, the fatal term of his conquests. The ferocious character of the barbarians was displayed in the funeral of a hero whose valour and fortune they celebrated with mournful applause. By the labour of a captive multitude they forcibly diverted the course of the Basentus (Busento), a small river that washes the walls of Consentia. The royal sepulchre, adorned with the splendid spoils and trophies of Rome, was constructed in the vacant bed; the waters were then restored to their natural channel; and the secret spot where the remains of Alaric had been deposited was for ever concealed by the inhuman massacre of the prisoners who had been employed to execute the work (A.D. 410).

Adolphus succeeds Alaric, concludes a peace with the empire, and marches into Gaul.

§ 16. The personal animosities and hereditary feuds of the barbarians were suspended by the strong necessity of their affairs; and the brave Adolphus (Athaulf), the brother-in-law of the deceased monarch, was unanimously elected to succeed to his throne. The new king seriously negotiated with the Imperial court a treaty of friendship and alliance, and offered to employ the sword of the Goths against the tyrants and barbarians who infested the provinces beyond the Alps. The ministers of Honorius readily accepted his services; and Adolphus, assuming the character of a Roman general, directed his march from the extremity of Campania to the southern provinces of Gaul (A.D. 412). His troops, either by force or agreement, immediately occupied the cities of Narbonne, Toulouse, and Bordeaux; and they soon extended their quarters from the Mediterranean to the ocean. The professions of Adolphus were probably sincere, and his attachment to the cause of the republic was secured by the ascendant which a Roman princess had acquired over the heart and understanding of the barbarian king. Placidia, the daughter of the great Theodosius, had been taken prisoner by Alaric, and though she was exposed to the disgrace of following round Italy the motions of a Gothic camp, she experienced a decent and respectful treatment. The Gothic king aspired to call himself the brother of the emperor; and though the ministers of Honorius rejected with disdain the proposal of an alliance so injurious to every sentiment of Roman pride, the

daughter of Theodosius submitted without reluctance to the wishes of the conqueror (A.D. 414).

The Goths conquer Gaul and Spain, and restore those countries to Honorius: the Goths established in Aquitain.

§ 17. It would be tedious to narrate the revolutions of Gaul. Constantine, as we have already seen (§ 10), had made himself master of the country in 407, and continued to hold possession of it till 411.* He was succeeded by other usurpers, and the last were conquered by Adolphus, who had the satisfaction of restoring Gaul to the obedience of his brother Honorius (A.D. 414). Peace was incompatible with the situation and temper of the king of the Goths; and he readily accepted the proposal of turning his victorious arms against the barbarians of Spain. In A.D. 409, the Vandals and other barbarians, who had followed the standard of Radagaisus, invaded Spain,† and revelled almost without interruption for the next five years in the riches of the unhappy country. In A.D. 414, Adolphus marched into Spain, but he was assassinated in the following year. His designs were carried out by his successor Wallia, who in the course of three campaigns conquered the Vandals, and again annexed Spain to the empire of Honorius.

In A.D. 418, the Goths returned to Gaul, and received from Honorius the grant of the second Aquitain, a maritime province between the Garonne and the Loire, under the civil and ecclesiastical jurisdiction of Bordeaux. The Gothic limits were enlarged by the additional gift of some neighbouring dioceses,‡ and the successors of Alaric fixed their royal residence at Toulouse, which included five populous quarters, or cities, within the spacious circuit of its walls.

Revolt of Britain and Armorica.

§ 18. Whilst Italy was ravaged by the Goths, and a succession of feeble tyrants oppressed the provinces beyond the Alps, the British island separated itself from the body of the Roman empire. The regular forces which guarded that remote province had been gradually withdrawn; and Britain was abandoned, without defence, to the Saxon pirates and the savages of Ireland and Caledonia. The Britons, reduced to this extremity, no longer relied on the tardy and doubtful aid of a declining monarchy. They assembled in arms, repelled the invaders, and rejoiced in the important discovery of their own strength. Afflicted by similar calamities, and actuated by the same spirit, the Armorican provinces (a name which comprehended the

* Constantine had forced Honorius to recognize him as Augustus; but the recognition was never acknowledged by the Byzantine court. For a time there were six Augusti in the Roman world, as in A.D. 308 (ch. viii. § 5). These were Honorius at Ravenna, Attalus at Rome, Theodosius at Constantinople, Constantine and his son Constans in Gaul, and a certain Maximus in Spain, who had been set up by Gerontius, a revolted general of Constantius. See Bury, *Later Roman Empire*, bk. II. c. vi.

† See Appendix.

‡ A part of Novempopulania and the part of Gallia Narbonensis to which Toulouse belonged. Narbo, however, was of too vital an importance to the Romans to be surrendered to the Goths. See Ranke, *Weltgeschichte*, iv. c. 8, p. 271.

maritime countries of Gaul between the Seine and the Loire) resolved to imitate the example of the neighbouring island. They expelled the Roman magistrates, who acted under the authority of the usurper Constantine; and a free government was established among a people who had so long been subject to the arbitrary will of a master. The independence of Britain and Armorica was soon confirmed by Honorius himself, the lawful emperor of the West. After the usurpers of Gaul had successively fallen, the maritime provinces were restored to the empire. Yet their obedience was imperfect and precarious; and Armorica was agitated by frequent and destructive revolts. Britain was irrecoverably lost. But as the emperors wisely acquiesced in the independence of a remote province, the separation was not embittered by the reproach of tyranny or rebellion; and the claims of allegiance and protection were succeeded by the mutual and voluntary offices of national friendship. This revolution dissolved the artificial fabric of civil and military government; and the independent country, during a period of forty years (A.D. 409–449), till the descent of the Saxons, was ruled by the authority of the clergy, the nobles, and the municipal towns.

Death of Honorius.

§ 19. Honorius died in A.D. 423, after an inglorious reign of 29 years; but the events which followed his death will be narrated in a subsequent chapter.

[Hodgkin, *Italy and her Invaders*, bk. ii. cc. 3 and 4; Bury, *History of the Later Roman Empire*, bk. i. cc. 1–5; Ranke, *Weltgeschichte*, IV. i. cc. 7 and 8; Freeman, *Tyrants of Britain, Gaul, and Spain*, in *English Historical Review*, Jan., 1886; Dahn, *Könige der Germanen*, i. 5 and v. 1.]

## APPENDIX.

### THE GERMANIC INVASION OF GAUL IN A.D. 406.

Gibbon (*Decline and Fall*, ch. 30) thought that the Germans who invaded Gaul were the two-thirds of the army of Radagaisus, whose fate is unaccounted for by ancient historians. In this he followed—or, rather, found himself in agreement with—de Buat (*Histoire ancienne des Peuples de l'Europe*, vol. vii. pp. 87–121). The theory, as he remarks, is not inconsistent with the words of Orosius (vii. 38), that Stilicho instigated this invasion ("gentes Alanorum Suevorum Vandalorum ultro in arma sollicitans," etc.). He thought that indirect instigation was meant; Stilicho diverted their course, and "saved Italy at the expense of Gaul."

The current view at the time was that Stilicho had incited a fresh host of barbarians into Gaul for the purpose of securing the empire for his son (Orosius, *l.c.*, "quod et extorquere imperium genero posset in filium;" cf. Prosper, i. p. 746, "inmissu quam maxime Stilichonis indigne ferentis filio suo regnum negatum"). A more probable motive for Stilicho's desiring this Germanic invasion of Gaul has been suggested by Ranke (*Weltgeschichte*, iv. c. 8, p. 254). The elevation of Constantine in Gaul had been a protest against the Germanising policy of Stilicho. The latter was led, through the wide-spread agitation against him which had found vent in

Britain, "on the one hand to enter into close relations with Alaric, on the other to stimulate this invasion of his kinsmen the Vandals and other German tribes." This view is followed by Bury (*Later Roman Empire*, bk. ii. cc. 4 and 6), who thinks that this was a fresh horde of German tribes which crossed the Rhine.

But it is obvious that, whether we believe in Stilicho's complicity or not, this great Teutonic army may still represent the relics of Radagaisus' host. Stilicho turned them from Italy into Gaul, but possibly not from the disinterested motives which Gibbon attributed to him.

Column of Theodosius at Constantinople.

## CHAPTER XVI.

### THE EASTERN EMPIRE DURING THE REIGNS OF ARCADIUS AND THEODOSIUS II.

§ 1. The empire of the East. § 2. Government and death of Eutropius. § 3. Revolt and death of Gainas. § 4. Election and merit of Chrysostom. § 5. First banishment of Chrysostom. § 6. Second banishment

of Chrysostom. § 7. Death of Arcadius: accession of Theodosius II.: character and administration of Pulcheria. § 8. Character and adventures of the empress Eudocia. § 9. Division of Armenia.

The empire of the East.

§ 1. THE division of the Roman world between the sons of Theodosius marks the final establishment of the empire of the East, which, from the reign of Arcadius to the taking of Constantinople by the Turks, subsisted 1058 years in a state of premature and perpetual decay (A.D. 395–1453). The sovereign of that empire assumed and obstinately retained the vain, and at length fictitious, title of Emperor of the ROMANS; and the hereditary appellations of CÆSAR and AUGUSTUS continued to declare that he was the legitimate successor of the first of men, who had reigned over the first of nations. The successors of Constantine established their perpetual residence in the royal city which he had erected on the verge of Europe and Asia. Inaccessible to the menaces of their enemies, and perhaps to the complaints of their people, they received with each wind the tributary productions of every climate; while the impregnable strength of their capital continued for ages to defy the hostile attempts of the barbarians. Their dominions were bounded by the Adriatic and the Tigris; and the whole interval of twenty-five days' navigation, which separated the extreme cold of Scythia from the torrid zone of Æthiopia, was comprehended within the limits of the empire of the East. The populous countries of that empire were the seat of art and learning, of luxury and wealth; and the inhabitants, who had assumed the language and manners of Greeks, styled themselves, with some appearance of truth, the most enlightened and civilised portion of the human species. The form of government was a pure and simple monarchy; the name of the ROMAN REPUBLIC, which so long preserved a *faint tradition* of freedom, was confined to the Latin provinces; and the *princes* of Constantinople measured their greatness by the servile obedience of their people.

Government and death of Eutropius.

§ 2. The first events of the reigns of Arcadius and Honorius are so intimately connected, that the rebellion of the Goths and the fall of Rufinus have already claimed a place in the history of the West. It has already been observed that Eutropius, one of the principal eunuchs of the palace of Constantinople, succeeded the haughty minister whose ruin he had accomplished and whose vices he soon imitated. For four years (A.D. 395–399) Eutropius governed and oppressed the empire of the East. Gainas, who had so boldly contrived and executed the death of Rufinus, was irritated by the fortune of his unworthy successor; he accused his own dishonourable patience under the servile reign of an eunuch; and secretly persuaded his countryman Tribigild to raise the standard of revolt among the Ostrogoths, who had been planted by Theodosius in one of the most fertile districts of Phrygia. Gainas, who was sent to oppose the Ostrogoths, magnified to the Imperial court the valour, the genius, the inexhaustible resources of Tribigild, confessed his

own inability to prosecute the war, and extorted the permission of negotiating with his invincible adversary. The conditions of peace were dictated by the haughty rebel; and the peremptory demand of the head of Eutropius revealed the author and the design of this hostile conspiracy. The weak emperor was persuaded by his fears and by the eloquence of his wife Eudoxia to yield to the demands of the victorious barbarian. Eutropius took refuge in the sanctuary of the church, which the empress Eudoxia was restrained, by her own prejudices or by those of her subjects, from violating. The fallen minister was banished to the island of Cyprus, but was shortly afterwards removed to Calchedon, and there put to death (A.D. 399).

Revolt and death of Gainas.

§ 3. While this domestic revolution was transacted, Gainas openly revolted from his allegiance, and united his forces with those of Tribigild. The confederate armies advanced without resistance to the straits of the Hellespont and the Bosporus, and Arcadius was instructed to prevent the loss of his Asiatic dominions by resigning his authority and his person to the faith of the barbarians. Gainas received the title of master-general of the Roman armies,* filled Constantinople with his troops, and distributed among his dependents the honours and rewards of the empire. But during the absence of Gainas, the guards and the people of Constantinople rose in arms, and surprised and killed 7000 of the barbarians (July 12, A.D. 400). Gainas was declared a public enemy; and his countryman Fravitta, who assumed the management of the war by sea and land, conducted it with such vigour and success, that Gainas, who could no longer aspire to govern or to subdue the Romans, determined to resume the independence of a savage life. He advanced by rapid marches through the plains of Thrace towards the Danube; but his passage was barred by the Huns; and after repeatedly attempting to cut his way through the ranks of the enemy, he was slain, with his desperate followers, in the field of battle. His head was sent to Constantinople (A.D. 401, January); and the public deliverance was celebrated by festivals and illuminations. The monarch, no longer oppressed by any hostile terrors, resigned himself to the mild and absolute dominion of his wife, the fair and artful Eudoxia, who has sullied her fame by the persecution of St. John Chrysostom.

Election and merit of Chrysostom.

§ 4. After the death of the indolent Nectarius, the successor of Gregory Nazianzen, the church of Constantinople was distracted by the ambition of rival candidates. On this occasion Eutropius seems to have deviated from his ordinary maxims; and his uncorrupted judgment was determined only by the superior merit of a stranger. In a late journey into the East he had admired the sermons of John, a native and presbyter of Antioch, whose name has been distinguished by the epithet of Chrysostom, or the Golden Mouth. The unanimous and unsolicited consent of the court, the clergy, and the people ratified

* *Magister militum per Orientem.*

the choice of the minister; and, both as a saint and as an orator, the new archbishop surpassed the sanguine expectations of the public (A.D. 398, Feb. 26). Born of a noble and opulent family in the capital of Syria, Chrysostom had been educated under the tuition of the most skilful masters. He studied the art of rhetoric in the school of Libanius; and that celebrated sophist, who soon discovered the talents of his disciple, ingenuously confessed that John would have deserved to succeed him had he not been stolen away by the Christians. His piety soon disposed him to receive the sacrament of baptism; to renounce the lucrative and honourable profession of the law; and to bury himself in the adjacent desert, where he subdued the lusts of the flesh by an austere penance of six years. His infirmities compelled him to return to the society of mankind; but in the midst of his family, and afterwards on the archiepiscopal throne, Chrysostom still persevered in the practice of the monastic virtues. The ample revenues, which his predecessors had consumed in pomp and luxury, he diligently applied to the establishment of hospitals; and the multitudes who were supported by his charity preferred the eloquent and edifying discourses of their archbishop to the amusements of the theatre or the circus. The monuments of that eloquence, which was admired near twenty years at Antioch and Constantinople, have been carefully preserved; and the possession of near one thousand sermons or homilies has authorised the critics of succeeding times to appreciate the genuine merit of Chrysostom.

First banishment of Chrysostom.

§ 5. The pastoral labours of the archbishop of Constantinople provoked and gradually united against him two sorts of enemies; the aspiring clergy, who envied his success, and the ministers and ladies of the court, who were offended by his reproofs. The secret resentment of the court, and especially of the empress Eudoxia, encouraged the discontent of the clergy and monks of Constantinople, who were too hastily reformed by the fervent zeal of their archbishop. The ecclesiastical conspiracy was managed by Theophilus, archbishop of Alexandria, who had been exasperated by some personal disputes with Chrysostom himself. By the private invitation of the empress, Theophilus landed at Constantinople, with a stout body of Egyptian mariners, to encounter the populace; and a train of dependent bishops, to secure by their voices the majority of a synod. The synod was convened in the suburb of Calchedon; a bishop and a deacon accused the archbishop of Constantinople; but as Chrysostom refused to trust either his person or his reputation in the hands of his implacable enemies, they condemned his contumacious disobedience, and hastily pronounced a sentence of deposition. The archbishop was rudely arrested, and conducted through the city, by one of the Imperial messengers, who landed him, after a short navigation, near the entrance of the Euxine; from whence, before the expiration of two days, he was gloriously recalled (A.D. 403).

Second banishment of Chrysostom.

§ 6. The first astonishment of his faithful people had been mute and passive; they suddenly rose with unanimous and irresistible fury. Theophilus escaped, but the promiscuous crowd of monks and Egyptian mariners was slaughtered without pity in the streets of Constantinople. The torrent of sedition rolled forwards to the gates of the palace; and the empress, agitated by fear or remorse, threw herself at the feet of Arcadius, and confessed that the public safety could be purchased only by the restoration of Chrysostom. The Bosporus was covered with innumerable vessels; the shores of Europe and Asia were profusely illuminated; and the acclamations of a victorious people accompanied, from the port to the cathedral, the triumph of the archbishop. Ignorant, or careless, of the impending danger, Chrysostom indulged his zeal, or perhaps his resentment; declaimed with peculiar asperity against *female* vices; and condemned the profane honours which were addressed, almost in the precincts of St. Sophia, to the statue of the empress. His imprudence tempted his enemies to inflame the haughty spirit of Eudoxia, by reporting, or perhaps inventing, the famous exordium of a sermon, "Herodias is again furious; Herodias again dances; she once more requires the head of John:" an insolent allusion, which, as a woman and a sovereign, it was impossible for her to forgive. The short interval of a perfidious truce was employed to concert more effectual measures for the disgrace and ruin of the archbishop. A numerous council of the Eastern prelates, who were guided from a distance by the advice of Theophilus, confirmed the validity, without examining the justice of the former sentence; and a detachment of barbarian troops was introduced into the city, to suppress the emotions of the people. On the vigil of Easter the solemn administration of baptism was rudely interrupted by the soldiers; and the fatal day of the second and final exile of Chrysostom was marked by the conflagration of the cathedral, of the senate-house, and of the adjacent buildings (A.D. 404). Chrysostom was carried to the remote and desolate town of Cucusus, among the ridges of Mount Taurus, in the Lesser Armenia. After remaining there three years, an order was despatched for his instant removal to the extreme desert of Pityus:* and his guards so faithfully obeyed their cruel instructions, that, before he reached the sea-coast of the Euxine, he expired at Comana, in Pontus, in the 60th year of his age (A.D. 407). The succeeding generation acknowledged his innocence and merit. At the pious solicitation of the clergy and people of Constantinople, his relics, thirty years after his death, were transported from their obscure sepulchre to the royal city (A.D. 438). The emperor Theodosius advanced to receive them as far as Calchedon; and, falling prostrate on the coffin, implored, in the name of his guilty parents, Arcadius and Eudoxia, the forgiveness of the injured saint.

* At the foot of the Caucasus on the north-east coast of the Euxine.

Death of Arcadius: accession of Theodosius II.: character and administration of Pulcheria.

§ 7. Arcadius died in A.D. 408, in the 31st year of his age, after a reign (if we may abuse that word) of 13 years. His son and successor, Theodosius II., was only 7 years of age; but the government of the Eastern empire was fortunately assumed by the præfect Anthemius, who obtained, by his superior abilities, a lasting ascendant over the minds of his equals. The safety of the young emperor proved the merit and integrity of Anthemius; and his prudent firmness sustained the force and reputation of an infant reign. But the Romans had so long been accustomed to the authority of a monarch, that the first, even among the females of the Imperial family, who displayed any courage or capacity, was permitted to ascend the vacant throne of Theodosius. His sister Pulcheria, who was only two years older than himself, received at the age of sixteen the title of *Augusta;* and she continued to govern the Eastern empire near forty years (A.D. 414–453); during the long minority of her brother, and after his death in her own name, and in the name of Marcian, her nominal husband. From a motive either of prudence or religion, she embraced a life of celibacy; and her sisters Arcadia and Marina followed her example. In the presence of the clergy and people the three daughters of Arcadius dedicated their virginity to God; the palace was converted into a monastery; they renounced the vanity of dress, interrupted by frequent fasts their simple and frugal diet, and devoted several hours of the day and night to the exercises of prayer and psalmody. Yet the devotion of Pulcheria never diverted her indefatigable attention from temporal affairs; and she alone, among all the descendants of the great Theodosius, appears to have inherited any share of his manly spirit and abilities. Her deliberations were maturely weighed; her actions were prompt and decisive; and while she moved without noise or ostentation the wheel of government, she directly attributed to the genius of the emperor the long tranquillity of his reign. In the last years of his peaceful life Europe was indeed afflicted by the arms of Attila; but the more extensive provinces of Asia still continued to enjoy a profound and permanent repose. Theodosius the younger was never reduced to the disgraceful necessity of encountering and punishing a rebellious subject: and since we cannot applaud the vigour, some praise may be due to the mildness and prosperity, of the administration of Pulcheria.

Character and adventures of the empress Eudocia.

§ 8. Theodosius himself continued to the hour of his death to be a cipher in the government. He was never excited to support the weight and glory of an illustrious name; and, instead of aspiring to imitate his ancestors, he degenerated (if we may presume to measure the degrees of incapacity) below the weakness of his father and his uncle. The wife chosen for him by his sister Pulcheria was the celebrated Athenais, who had been educated by her father Leontius in the religion and sciences of the Greeks. Athenais was easily persuaded to renounce the errors of Paganism, received at her baptism the Christian name of

Eudocia; and the royal nuptials were celebrated amidst the acclamations of the capital and the provinces (A.D. 421). In the following year she bore to the emperor a daughter, Eudoxia, who espoused 15 years afterwards Valentinian III. the emperor of the West. In the luxury of the palace she still cultivated those ingenuous arts which had contributed to her greatness, and composed several literary works, which were applauded by a servile and superstitious age, and have not been disdained by the candour of impartial criticism. At length, unmindful of her obligations to Pulcheria, she ambitiously aspired to the government of the Eastern empire: the palace was distracted by female discord; but the victory was at last decided by the superior ascendant of the sister of Theodosius. As soon as Eudocia perceived that the affection of the emperor was irretrievably lost, she requested the permission of retiring to the distant solitude of Jerusalem. She obtained her request, but the jealousy of Theodosius, or the vindictive spirit of Pulcheria, pursued her in her last retreat; and Saturninus, count of the domestics, was directed to punish with death two ecclesiastics, her most favoured servants. Eudocia instantly revenged them by the assassination of the count: the furious passions which she indulged on this suspicious occasion seemed to justify the severity of Theodosius; and the empress, ignominiously stripped of the honours of her rank, was disgraced, perhaps unjustly, in the eyes of the world. The remainder of the life of Eudocia, about sixteen years, was spent in exile and devotion; and after a full experience of the vicissitudes of human life, the daughter of the philosopher Leontius expired at Jerusalem, in the 67th year of her age (A.D. 460).

Division of Armenia.

§ 9. In the reign of Theodosius the kingdom of Armenia was finally divided between the Persians and the Romans. It had long been alternately oppressed by its formidable protectors; and the dissensions of the Armenian nobles in the fifth century led to a partition of their kingdom. The Persians obtained the eastern and most extensive portion of the country, the Romans the Western province; and a territorial acquisition, which Augustus might have despised, reflected some lustre on the declining empire of the younger Theodosius.

[Bury, *History of the Later Roman Empire*, bk. i. cc. 1-5; Ranke, *Weltgeschichte*, IV. i. c. 7; Güldenpenning, *Geschichte des oströmischen Reichs unter den Kaisern Arcadius und Theodosius II.*; Finlay, *History of Greece*, ch. ii. § 11. On Chrysostom see E. Venables in Smith and Wace, *Dictionary of Christian Biography*, i. p. 518, ff., with the literature quoted there.]

Eudocia, wife of Theodosius II.

Pulcheria, wife of Marcian.

## CHAPTER XVII.

### REIGN OF VALENTINIAN III.

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§ 1. DURING a long and disgraceful reign of 28 years, Honorius, emperor of the West, was separated from the friendship of his brother, and afterwards of his nephew, who reigned over the East; and Constantinople beheld, with apparent indifference and secret joy, the calamities of Rome. The strange adventures of Placidia gradually renewed and cemented the alliance of the

Death of Honorius and accession of VALENTINIAN III. to the empire of the West.

two empires. The daughter of the great Theodosius had been the captive and the queen of the Goths; she lost an affectionate husband; she was dragged in chains by his insulting assassin; she tasted the pleasure of revenge, and was exchanged, in the treaty of peace, for six hundred thousand measures of wheat. After her return from Spain to Italy, she was married to the general Constantius (A.D. 417), who had vanquished the tyrants of Gaul,* and she became by him the mother of Honoria and Valentinian the Third. In A.D. 421 Constantius received the title of Augustus, but died in the seventh month of his reign. After her husband's death Placidia exercised at first an almost absolute dominion over the mind of her brother; but on a sudden, by some base intrigues, their fondness was converted into an irreconcilable quarrel; and Placidia and her children were obliged to retire to Constantinople, where they were treated by Theodosius with kindness and magnificence. Within a few months after the arrival of Placidia Honorius died; and the vacant throne was usurped by John, who filled the confidential office of *Primicerius*, or principal secretary (A.D. 424). Theodosius sent an army into Italy, which easily suppressed the rebellion, and Valentinian III. was proclaimed emperor of the West (A.D. 425). By the agreement of the three females who governed the Roman world, the son of Placidia was betrothed to Eudoxia, the daughter of Theodosius and Athenais; and, as soon as the lover and his bride had attained the age of puberty, this honourable alliance was faithfully accomplished. At the same time, as a compensation, perhaps, for the expenses of the war, the Western Illyricum was detached from the Italian dominions, and yielded to the throne of Constantinople. The emperor of the East acquired the useful dominion of the rich and maritime province of Dalmatia, and the dangerous sovereignty of Pannonia and Noricum, which had been filled and ravaged above twenty years by a promiscuous crowd of barbarians. Theodosius and Valentinian continued to respect the obligations of their public and domestic alliance; but the unity of the Roman government was finally dissolved. By a positive declaration, the validity of all future laws was limited to the dominions of their peculiar author, unless he should think proper to communicate them, subscribed with his own hand, for the approbation of his independent colleague.

Administration of Placidia: her two generals Aëtius and Boniface: revolt of Boniface.

§ 2. Valentinian, when he received the title of Augustus, was no more than six years of age; and his long minority was intrusted to the guardian care of Placidia. The mother of Valentinian was jealous of the power which she was incapable of exercising; she reigned twenty-five years, in the name of her son; and the character of that unworthy emperor gradually countenanced the suspicion that Placidia had enervated his youth by a dissolute education, and studiously diverted his attention from every manly and honourable pursuit. Amidst

* With the help of Adolphus. See ch. xv. § 17.

the decay of military spirit, her armies were commanded by two generals, Aëtius and Boniface, who may be deservedly named as the last of the Romans. Their union might have supported a sinking empire; their discord was the fatal and immediate cause of the loss of Africa. The abilities of Aëtius and Boniface might have been usefully employed against the public enemies in separate and important commands; but the experience of their past conduct should have decided the real favour and confidence of the empress Placidia. In the melancholy season of her exile and distress, Boniface alone had maintained her cause with unshaken fidelity; and the troops and treasures of Africa had essentially contributed to extinguish the rebellion. The same rebellion had been supported by the zeal and activity of Aëtius, who brought an army of 6000 Huns from the Danube to the confines of Italy, for the service of the usurper. But Aëtius possessed an advantage of singular moment in a female reign: he was present: he besieged with artful and assiduous flattery the palace of Ravenna; disguised his dark designs with the mask of loyalty and friendship; and at length deceived both his mistress and his absent rival, by a subtle conspiracy which a weak woman and a brave man could not easily suspect. He secretly persuaded Placidia to recall Boniface from the government of Africa; he secretly advised Boniface to disobey the Imperial summons: to the one, he represented the order as a sentence of death; to the other, he stated the refusal as a signal of revolt; and when the credulous and unsuspectful count had armed the province in his defence, Aëtius applauded his sagacity in foreseeing the rebellion which his own perfidy had excited. Boniface, fearing that he should be unable to withstand the regular forces of the West, despatched a trusty friend to the court of Gunderic (Guntheric), king of the Vandals, with the proposal of a strict alliance, and the offer of an advantageous and perpetual settlement.*

Story of Boniface's invitation to the Vandals

§ 3. After the retreat of the Goths from Spain,† the Vandals soon regained possession of a considerable part of the country. They readily accepted the invitation which they received from Count Boniface, and the death of Gunderic served only to forward and animate the bold enterprise. In the room of a prince not conspicuous for any superior powers of the mind or body, they acquired his bastard brother, the terrible Genseric or Geiseric; a name which in the destruction of the Roman empire has deserved an equal rank with the names of Alaric and Attila. The king of the Vandals is described to have been of a middle stature, with a lameness in one leg, which he had contracted by an accidental fall from his horse. His slow and cautious speech seldom declared the deep purposes of his soul: he disdained to imitate the luxury of the vanquished, but he indulged the sterner

Genseric, king of the Vandals.

* This invitation by Boniface, though not improbable, is by no means proved. See Ranke, *Weltgeschichte*, iv. 8, p. 279.

† See ch. xv. § 17.

passions of anger and revenge. The ambition of Genseric was without bounds and without scruples, and the warrior could dexterously employ the dark engines of policy to solicit the allies who might be useful to his success, or to scatter among his enemies the seeds of hatred and contention. The vessels which transported the Vandals over the modern straits of Gibraltar, a channel only twelve miles in breadth, were furnished by the Spaniards, who anxiously wished their departure, and by the African general, who had implored their formidable assistance.

The Vandals land in Africa: siege of Hippo: death of St. Augustin and Boniface.

§ 4. Genseric landed in Africa in A.D. 429, with 50,000 effective men. His numbers were soon increased by the Moors, whom the Romans had driven out of their native country, and by the Donatists, whom the Catholics had persecuted with cruel severity.* The friends of Boniface, who still believed that his criminal behaviour might be excused by some honourable motive, solicited, during the absence of Aëtius, a free conference with the Count of Africa; and Darius, an officer of high distinction, was named for the important embassy. In their first interview at Carthage, the imaginary provocations were mutually explained, the opposite letters of Aëtius were produced and compared, and the fraud was easily detected. Placidia and Boniface lamented their fatal error, and the count had sufficient magnanimity to confide in the forgiveness of his sovereign, or to expose his head to her future resentment. His repentance was fervent and sincere; but he soon discovered that it was no longer in his power to restore the edifice which he had shaken to its foundations. Carthage and the Roman garrisons returned with their general to the allegiance of Valentinian, but the rest of Africa was still distracted with war and faction; and the inexorable king of the Vandals, disdaining all terms of accommodation, sternly refused to relinquish the possession of his prey. The band of veterans who marched under the standard of Boniface, and his hasty levies of provincial troops, were defeated with considerable loss; the victorious barbarians laid waste the open country with fire and sword; and Carthage, Cirta, and Hippo Regius, were the only cities that appeared to rise above the general inundation. Boniface retired into Hippo Regius, where he was immediately besieged by an enemy who considered him as the real bulwark of Africa. The military labours and anxious reflections of Boniface were alleviated by the edifying conversation of his friend St. Augustin; till that bishop, the light and pillar of the catholic church, was gently released,

* The Donatists (so called from Donatus, a bishop of Castra Nigra in Numidia) were not heretics in dogma, but a party who raised a protest against the abuses in discipline and the worldliness of the Church. Their alliance with a class of violent socialists called *circumcelliones*, or "wandering monks," had invoked the repressive measures of the Imperial government. The Theodosian Code (16, 5) contains a series of ordinances against the Donatists from A.D. 400 to 428.

in the third month of the siege and in the 76th year of his age, from the actual and the impending calamities of his country (A.D. 430). By the skill of Boniface, and perhaps by the ignorance of the Vandals, the siege of Hippo was protracted above fourteen months: the sea was continually open; and when the adjacent country had been exhausted by irregular rapine, the besiegers themselves were compelled by famine to relinquish their enterprise. The importance and danger of Africa were deeply felt by the regent of the West. Placidia implored the assistance of her Eastern ally; and the Italian fleet and army were reinforced by Aspar, who sailed from Constantinople with a powerful armament. As soon as the force of the two empires was united under the command of Boniface, he boldly marched against the Vandals; and the loss of a second battle irretrievably decided the fate of Africa. He embarked with the precipitation of despair; and the people of Hippo were permitted, with their families and effects, to occupy the vacant place of the soldiers, the greatest part of whom were either slain or made prisoners by the Vandals. The count, whose fatal credulity had wounded the vitals of the republic, might enter the palace of Ravenna with some anxiety, which was soon removed by the smiles of Placidia. Boniface accepted with gratitude the rank of patrician and the dignity of master-general of the Roman armies. The discovery of his fraud, the displeasure of the empress, and the distinguished favour of his rival, exasperated the haughty and perfidious soul of Aëtius. He hastily returned from Gaul to Italy, with a retinue, or rather with an army of barbarian followers; and such was the weakness of the government, that the two generals decided their private quarrel in a bloody battle. Boniface was successful; but he received in the conflict a mortal wound from the spear of his adversary, of which he expired within a few days (A.D. 432).* Aëtius was proclaimed a rebel by the justice of Placidia, and retired into Pannonia, to the tents of his faithful Huns. The republic was deprived by their mutual discord of the service of her two most illustrious champions.

Conquest of Carthage and Africa by the Vandals.

§ 5. It might naturally be expected, after the retreat of Boniface, that the Vandals would achieve without resistance or delay the conquest of Africa. Eight years, however, elapsed from the evacuation of Hippo to the reduction of Carthage. The throne of Genseric was encompassed with domestic enemies, who accused the baseness of his birth and asserted the legitimate claims of his nephews, the sons of Gunderic. As he advanced towards Carthage he was forced to withdraw his

* This story of a duel (gathered from the narratives of Prosper and Marcellinus) is rejected by Freeman (*Aëtius and Boniface* in *English Historical Review*, No. vii., July, 1887) and by Bury (*Later Roman Empire*, bk. ii. c. 8). Another story, told by John of Antioch (Müller's *Fragmenta Historicorum Græcorum*, iv. *fr.* 201, § 2), hints at a civil war between the rivals, and says that Boniface, out-generalled by Aëtius, died of anxiety.

troops from the Western provinces ; the sea-coast was exposed to the naval enterprises of the Romans of Spain and Italy; and, in the heart of Numidia, the strong inland city of Cirta still persisted in obstinate independence. These difficulties were gradually subdued by the spirit, the perseverance, and the cruelty of Genseric ; who alternately applied the arts of peace and war to the establishment of his African kingdom. He subscribed a solemn treaty, with the hope of deriving some advantage from the term of its continuance and the moment of its violation (A.D. 435).* The vigilance of his enemies was relaxed by the protestations of friendship which concealed his hostile approach ; and Carthage was at length surprised by the Vandals, 585 years after the destruction of the city and republic by the younger Scipio (A.D. 439).

Attila, king of the Huns: his character and dominions.

§ 6. The Western world was oppressed by the Goths and Vandals, who fled before the Huns ; but the achievements of the Huns themselves were not adequate to their power and prosperity. Their victorious hordes had spread from the Volga to the Danube ; but the public force was exhausted by the discord of independent chieftains ; their valour was idly consumed in obscure and predatory excursions ; and they often degraded their national dignity, by condescending, for the hopes of spoil, to enlist under the banners of their fugitive enemies. In the reign of ATTILA the Huns again became the terror of the world ; and I shall now describe the character and actions of that formidable barbarian, who alternately insulted and invaded the East and the West, and urged the rapid downfall of the Roman empire.

Attila, the son of Mundiuch, deduced his noble descent from the ancient Huns, who had formerly contended with the monarchs of China. His features bore the stamp of his national origin ; and the portrait of Attila exhibits the genuine deformity of a modern Kalmuck ; a large head, a swarthy complexion, small deep-seated eyes, a flat nose, a few hairs in the place of a beard, broad shoulders, and a short square body, of nervous strength, though of a disproportioned form. The haughty step and demeanour of the king of the Huns expressed the consciousness of his superiority above the rest of mankind ; and he had a custom of fiercely rolling his eyes, as if he wished to enjoy the terror which he inspired. He gradually concentrated upon himself the awe and fear of the whole ancient world, which ultimately expressed itself by affixing to his name the well-known epithet of the SCOURGE OF GOD. Yet this savage hero was not inaccessible to pity ; his suppliant enemies might confide in the assurance of peace or pardon ; and Attila was considered by his subjects as a just and indulgent master. The religious arts of Attila were skilfully adapted to the character of his age and

* The treaty gave to the Vandals the province of Africa, with the exception of Carthage, the province of Byzacena and a portion of Numidia, on condition of their paying tribute.

country. The Scythians worshipped the god of war under the symbol of an iron scimitar. One of the shepherds of the Huns perceived that a heifer, who was grazing, had wounded herself in the foot, and curiously followed the track of the blood, till he discovered, among the long grass, the point of an ancient sword, which he dug out of the ground and presented to Attila. That prince accepted, with pious gratitude, this celestial favour; and, as the rightful possessor of the *sword of Mars*, asserted his divine and indefeasible claim to the dominion of the earth. His brother Bleda, who reigned over a considerable part of the nation, was compelled to resign his sceptre and his life. Yet even this cruel act was attributed to a supernatural impulse; and the vigour with which Attila wielded the sword of Mars convinced the world that it had been reserved alone for his invincible arm.

The dominions of Attila included the two mighty kingdoms of Germany and Scythia; and he might aspire to the title of supreme and sole monarch of the barbarians. His empire extended from the Baltic on the north to the Danube on the south; and from the Rhine on the west to the Volga on the east.* In the proud review of the nations who acknowledged the sovereignty of Attila, and who never entertained, during his lifetime, the thought of a revolt, the Gepidæ and the Ostrogoths were distinguished by their numbers, their bravery, and the personal merit of their chiefs. The crowd of vulgar kings, the leaders of so many martial tribes, who served under the standard of Attila, were ranged in the submissive order of guards and domestics round the person of their master. In time of peace, the dependent princes, with their national troops, attended the royal camp in regular succession; but when Attila collected his military force, he was able to bring into the field an army of five, or, according to another account, of seven hundred thousand barbarians.

He invades the Eastern empire.

§ 7. The career of Attila divides itself into two parts. The first (A.D. 441–450) consists of the ravage of the Eastern empire between the Euxine and the Adriatic, and of the negotiations with Theodosius. The second (A.D. 450–453) consists of the invasion of the Western empire.

When Attila crossed the Danube the Illyrian frontier was covered by a line of castles and fortresses; but these slight obstacles were instantly swept away by the inundation of the Huns. The whole breadth of Europe, as it extends above 500 miles from the Euxine to the Adriatic, was at once invaded, and occupied, and desolated, by the myriads of barbarians whom Attila led into the field. The public danger and distress could not, however, provoke Theodosius to appear in person at the

* It must not be supposed that this was a permanent territorial monarchy. Attila "ruled wherever he went" (Niebuhr, *Lectures*, iii. p. 339), but it is impossible to assign precise geographical limits to his dominions. He was the leader of peoples rather than the sovereign of a land.

head of the Roman legions. But the troops which had been sent against Genseric were hastily recalled from Sicily; the garrisons, on the side of Persia, were exhausted; and a military force was collected in Europe, formidable by their arms and numbers, if the generals had understood the science of command, and their soldiers the duty of obedience. The armies of the Eastern empire were vanquished in three successive engagements; and the progress of Attila may be traced by the fields of battle. The two former, on the banks of the Utus,* and under the walls of Marcianopolis, were fought in the extensive plains between the Danube and Mount Hæmus. As the Romans were pressed by a victorious enemy, they gradually, and unskilfully, retired towards the Chersonesus of Thrace; and that narrow peninsula, the last extremity of the land, was marked by their third and irreparable defeat. By the destruction of this army, Attila acquired the indisputable possession of the field. From the Hellespont to Thermopylæ and the suburbs of Constantinople, he ravaged, without resistance and without mercy, the provinces of Thrace and Macedonia. Theodosius, his court, and the unwarlike people, were protected by the walls of Constantinople; but the words the most expressive of total extirpation and erasure are applied to the calamities which he inflicted on 70 cities of the empire.

Treaty of peace between Attila and the Eastern empire.

§ 8. Theodosius was reduced to solicit the clemency of Attila, who imperiously dictated these harsh and humiliating conditions of peace. I. The emperor of the East resigned, by an express or tacit convention, an extensive and important territory which stretched along the southern banks of the Danube, from Singidunum, or Belgrade, as far as Novæ, in the diocese of Thrace. II. The king of the Huns required and obtained that his tribute or subsidy should be augmented from 700 pounds of gold to the annual sum of 2100; and he stipulated the immediate payment of 6000 pounds of gold to defray the expenses, or to expiate the guilt, of the war. III. He further required that the Huns who had been taken prisoners in war should be released without delay and without ransom; that every Roman captive who had presumed to escape should purchase his right of freedom at the price of 12 pieces of gold; and that all the barbarians who had deserted the standard of Attila should be restored without any promise or stipulation of pardon. In the execution of this cruel and ignominious treaty the Imperial officers were forced to massacre several loyal and noble deserters who refused to devote themselves to certain death; and the Romans forfeited all reasonable claims to the friendship of any Scythian people by this public confession that they were destitute either of faith or power to protect the suppliant who had embraced the throne of Theodosius (A.D. 443).

Embassies from and to Attila.

§ 9. It would have been strange, indeed, if Theodosius had purchased, by the loss of honour, a secure and solid tranquillity,

* In Mœsia (the Wid).

or if his tameness had not invited the repetition of injuries. The Byzantine court was insulted by five or six successive embassies; and the ministers of Attila were uniformly instructed to press the tardy or imperfect execution of the last treaty; to produce the names of fugitives and deserters who were still protected by the empire; and to declare that, unless their sovereign obtained complete and immediate satisfaction, it would be impossible for him, were it even his wish, to check the resentment of his warlike tribes. The Byzantine court determined to send an embassy for the purpose of reconciling the angry spirit of the king of the Huns. Maximin, a respectable courtier, whose abilities had been long exercised in civil and military employments, accepted with reluctance this troublesome, and perhaps dangerous commission; but the secret of the embassy, a fatal and guilty secret, was intrusted only to the interpreter Vigilius. The two last ambassadors of the Huns, Orestes, a noble subject of the Pannonian province, and Edecon, a valiant chieftain of the tribe of the Sciri,* returned at the same time from Constantinople to the royal camp. Their obscure names were afterwards illustrated by the extraordinary fortune and the contrast of their sons: the two servants of Attila became the fathers of the last Roman emperor of the West, and of the first barbarian king of Italy.

When Attila first gave audience to the Roman ambassadors on the banks of the Danube, his tent was encompassed with a formidable guard. The monarch himself was seated in a wooden chair. His stern countenance, angry gestures, and impatient tone, astonished the firmness of Maximin; but Vigilius had more reason to tremble, since he distinctly understood the menace, that if the Romans did not respect the law of nations, he would nail the deceitful interpreter to a cross, and leave his body to the vultures. The barbarian condescended, by producing an accurate list, to expose the bold falsehood of Vigilius, who had affirmed that no more than 17 deserters could be found. He dismissed, however, Maximin and the interpreter, who returned to Constantinople with his peremptory demand of more complete restitution, and a more splendid embassy.

When Edecon visited Constantinople, the surprise and satisfaction with which he contemplated the splendour of the city encouraged the interpreter Vigilius to procure for him a secret interview with the eunuch Chrysaphius, who governed the emperor and the empire. After some previous conversation, and a mutual oath of secrecy, the eunuch ventured to propose the death of Attila, as an important service, by which Edecon might deserve a liberal share of the wealth and luxury which he admired. The ambassador of the Huns listened to the tempting offer; and professed, with apparent zeal, his ability, as well as readiness, to execute the bloody deed: the design was communicated to the master of the offices, and the devout Theodosius

* See note to ch. xviii. § 9.

consented to the assassination of his invincible enemy. But this perfidious conspiracy was defeated by the dissimulation, or the repentance, of Edecon, who assumed the merit of an early and voluntary confession. If we *now* review the embassy of Maximin and the behaviour of Attila, we must applaud the barbarian, who respected the laws of hospitality, and generously entertained and dismissed the minister of a prince who had conspired against his life. But the rashness of Vigilius will appear still more extraordinary, since he returned, conscious of his guilt and danger, to the royal camp, accompanied by his son, and carrying with him a weighty purse of gold, which the favourite eunuch had furnished, to satisfy the demands of Edecon and to corrupt the fidelity of the guards. The interpreter was instantly seized and dragged before the tribunal of Attila, where he asserted his innocence with specious firmness, till the threat of inflicting instant death on his son extorted from him a sincere discovery of the criminal transaction. Under the name of ransom, or confiscation, the rapacious king of the Huns accepted 200 pounds of gold for the life of a traitor whom he disdained to punish. He pointed his just indignation against a nobler object. His ambassadors, Eslaw and Orestes, were immediately despatched to Constantinople with instructions to demand the head of Chrysaphius, and boldly to reprove the emperor for conspiring against the life of his master. A solemn embassy, armed with full powers and magnificent gifts, was hastily sent by Theodosius to deprecate the wrath of Attila. He condescended to meet the ambassadors on the banks of the river Drenco; and though he at first affected a stern and haughty demeanour, his anger was insensibly mollified by their eloquence and liberality. He condescended to pardon the emperor, the eunuch, and the interpreter; and resigned a large territory, to the south of the Danube, which he had already exhausted of its wealth and inhabitants. But this treaty was purchased at an expense which might have supported a vigorous and successful war; and the subjects of Theodosius were compelled to redeem the safety of a worthless favourite by oppressive taxes which they would more cheerfully have paid for his destruction.

Death of Theodosius II.: accession of MARCIAN to the empire of the East.

§ 10. The emperor Theodosius did not long survive the most humiliating circumstance of an inglorious life. As he was riding or hunting in the neighbourhood of Constantinople, he was thrown from his horse into the river Lycus, and he expired some days afterwards, in the 50th year of his age, and the 43rd of his reign (A.D. 450, July 28). His sister Pulcheria was unanimously proclaimed empress of the East; and the Romans, for the first time, submitted to a female reign. Amidst the general acclamations of the clergy and people, the empress did not forget the prejudice and disadvantage to which her sex was exposed; and she wisely resolved to prevent their murmurs by the choice of a colleague who would always respect the superior rank and virgin chastity of his wife. She gave her hand to Marcian, a senator,

about 60 years of age; and the nominal husband of Pulcheria was solemnly invested with the Imperial purple.

Character and administration of Aëtius.

§ 11. In A.D. 450 the king of the Huns prepared to invade Gaul, but the particular motives and provocations of Attila can only be explained by the state of the Western empire under the reign of Valentinian, or, to speak more correctly, under the administration of Aëtius.

After the death of his rival Boniface, Aëtius had prudently retired to the tents of the Huns; and he was indebted to their alliance for his safety and his restoration. Instead of the suppliant language of a guilty exile, he solicited his pardon at the head of 60,000 barbarians; and the empress Placidia confessed, by a feeble resistance, that the condescension which might have been ascribed to clemency was the effect of weakness or fear. She delivered herself, her son Valentinian, and the Western empire, into the hands of an insolent subject, who assumed, with the title of master of the cavalry and infantry, the whole military power of the state. His prudence, rather than his virtue, engaged him to leave the grandson of Theodosius in the possession of the purple; and Valentinian was permitted to enjoy the peace and luxury of Italy, while the patrician appeared in the glorious light of a hero and a patriot, who supported near twenty years the ruins of the Western empire. The barbarians, who had seated themselves in the Western provinces, were insensibly taught to respect the faith and valour of the patrician Aëtius. A seasonable treaty which he concluded with Genseric protected Italy from the depredations of the Vandals; the independent Britons implored and acknowledged his salutary aid; the Imperial authority was restored and maintained in Gaul and Spain; and he compelled the Franks and the Suevi, whom he had vanquished in the field, to become the useful confederates of the republic. From a principle of interest, as well as gratitude, Aëtius assiduously cultivated the alliance of the Huns. While he resided in their tents as a hostage or an exile, he had familiarly conversed with Attila himself: and the two famous antagonists appear to have been connected by a personal and military friendship, which they afterwards confirmed by mutual gifts, frequent embassies, and the education of Carpilio, the son of Aëtius, in the camp of Attila. The valour and prudence of Aëtius had not, however, saved the Western Romans from the common ignominy of tribute. Yet his dexterous policy prolonged the advantages of a salutary peace; and a numerous army of Huns and Alani, whom he had attached to his person, was employed in the defence of Gaul.

The Visigoths in Gaul under the reign of Theodoric.

§ 12. The kingdom established by the Visigoths in the southern provinces of Gaul had gradually acquired strength and maturity; and the conduct of those ambitious barbarians, either in peace or war, engaged the perpetual vigilance of Aëtius. After the death of Wallia, the Gothic sceptre devolved to Theodoric, the son of the great Alaric; and his prosperous reign

of more than 30 years (A.D. 419–451) over a turbulent people may be allowed to prove that his prudence was supported by uncommon vigour, both of mind and body. Theodoric appears to have deserved the love of his subjects, the confidence of his allies, and the esteem of mankind. His throne was surrounded by six valiant sons, who were educated with equal care in the exercises of the barbarian camp and in those of the Gallic schools: from the study of the Roman jurisprudence they acquired the theory, at least, of law and justice; and the harmonious sense of Virgil contributed to soften the asperity of their native manners. The two daughters of the Gothic king were given in marriage to the eldest sons of the kings of the Suevi and of the Vandals, who reigned in Spain and Africa: but these illustrious alliances were pregnant with guilt and discord. The queen of the Suevi bewailed the death of an husband, inhumanly massacred by her brother. The princess of the Vandals was the victim of a jealous tyrant, whom she called her father. The cruel Genseric suspected that his son's wife had conspired to poison him; the supposed crime was punished by the amputation of her nose and ears; and the unhappy daughter of Theodoric was ignominiously returned to the court of Toulouse in that deformed and mutilated condition. Theodoric resolved to take revenge; Aëtius would have supplied the Goths with arms, and ships, and treasures, for the African war; and the cruelty of Genseric might have been fatal to himself, if the artful Vandal had not armed, in his cause, the formidable power of the Huns. His rich gifts and pressing solicitations inflamed the ambition of Attila; and the designs of Aëtius and Theodoric were prevented by the invasion of Gaul.

The Franks in Gaul under the Merovingian kings.

§ 13. The Franks, whose monarchy was still confined to the neighbourhood of the Lower Rhine, had wisely established the right of hereditary succession in the noble family of the Merovingians (Merwings, A.D. 420–451). These princes were elevated on a buckler, the symbol of military command; and the royal fashion of long hair was the ensign of their birth and dignity. Clodion (Clojo), the first of their long-haired kings whose name and actions are mentioned in authentic history, held his residence at Dispargum, a village or fortress, whose place may be assigned between Louvain and Brussels. He conquered the second Belgic province, and, though defeated by Aëtius, he extended his dominions from the Rhine to the Somme. His death, after a reign of 20 years, exposed his kingdom to the discord and ambition of his two sons. Meroveus, the younger, was persuaded to implore the protection of Rome; his elder brother solicited, with equal ardour, the formidable aid of Attila; and the king of the Huns embraced an alliance which facilitated the passage of the Rhine, and justified by a specious and honourable pretence the invasion of Gaul.

The adventures of the

§ 14. When Attila declared his resolution of supporting the cause of his allies the Vandals and the Franks, at the same time

the savage monarch professed himself the lover and the champion of the princess Honoria. The sister of Valentinian was educated in the palace of Ravenna; and as her marriage might be productive of some danger to the state, she was raised, by the title of *Augusta*, above the hopes of the most presumptuous subject. But Honoria was guilty of an intrigue with her chamberlain Eugenius, and was sent by the empress Placidia to a remote exile at Constantinople. The unhappy princess passed twelve or fourteen years in the irksome society of the sisters of Theodosius and their chosen virgins. Her impatience of long and hopeless celibacy urged her to embrace a strange and desperate resolution. The name of Attila was familiar and formidable at Constantinople, and his frequent embassies entertained a perpetual intercourse between his camp and the Imperial palace. In the pursuit of love, or rather of revenge, the daughter of Placidia sacrificed every duty and every prejudice, and offered to deliver her person into the arms of a barbarian of whose language she was ignorant, whose figure was scarcely human, and whose religion and manners she abhorred. These indecent advances were received, however, with coldness and disdain; and the king of the Huns continued to multiply the number of his wives till his love was awakened by the more forcible passions of ambition and avarice. The invasion of Gaul was preceded and justified by a formal demand of the princess Honoria, with a just and equal share of the Imperial patrimony. A firm but temperate refusal was communicated to his ambassadors. On the discovery of her connexion with the king of the Huns, the guilty princess had been sent away, as an object of horror, from Constantinople to Italy: her life was spared, but the ceremony of her marriage was performed with some obscure and nominal husband before she was immured in a perpetual prison, to bewail those crimes and misfortunes which Honoria might have escaped had she not been born the daughter of an emperor.

princess Honoria.

§ 15. In A.D. 451 Attila set out from the royal village in the plains of Hungary, and after a march of 700 or 800 miles he reached the conflux of the Rhine and the Neckar, where he was joined by the Franks who adhered to his ally, the elder of the sons of Clodion. From the Rhine and the Moselle, Attila advanced into the heart of Gaul, crossed the Seine at Auxerre, and after a long and laborious march fixed his camp under the walls of Orleans. This city had been strengthened with recent fortifications, and the assaults of the Huns were vigorously repelled by the faithful valour of the soldiers or citizens who defended the place. But after an obstinate siege the walls were shaken by the battering-rams; and the Huns were upon the point of entering Orleans, when the army of Aëtius and Theodoric was seen advancing to its relief. Theodoric had been persuaded to embrace the side of the Romans, in order to resist an ambitious conqueror who aspired to the dominion of the earth, and to revenge the injuries which their ancestors had suffered from the

Attila invades Gaul and besieges Orleans.

Huns. The Visigoths, who at that time were in the mature vigour of their fame and power, obeyed with alacrity the signal of war, and assembled under the standard of their aged king, who was resolved, with his two eldest sons, Torismond and Theodoric, to command in person his numerous and valiant people. The example of the Goths determined several tribes or nations that seemed to fluctuate between the Huns and the Romans.

Battle of the Catalaunian plains.

§ 16. On the approach of Aëtius and Theodoric the king of the Huns immediately raised the siege, and sounded a retreat to recall the foremost of his troops from the pillage of a city which they had already entered. The valour of Attila was always guided by his prudence: and, as he foresaw the fatal consequences of a defeat in the heart of Gaul, he repassed the Seine, and expected the enemy in the plains of Châlons, whose smooth and level surface was adapted to the operations of his Scythian cavalry.* The innumerable hosts which fought in this battle, and the important consequences which followed it, have made it one of the most memorable in the history of the world. The number of the slain amounted to 162,000, or, according to another account, 300,000 persons; and these incredible exaggerations suppose a real and effective loss, sufficient to justify the historian's remark that whole generations may be swept away by the madness of kings in the space of a single hour. The battle was decided by the valour of the Visigoths; and, though Theodoric was slain, his son Torismond compelled Attila to give way; and the conquerors of Scythia and Germany were saved by the approach of the night from a total defeat. They retired within the circle of waggons that fortified their camp. On the following day the Goths were eager to storm the entrenchments; but Aëtius, who was apprehensive that, after the extirpation of the Huns, the republic would be oppressed by the power of the Gothic nation, represented to the son of Theodoric the dangers of absence and delay; and persuaded Torismond to disappoint, by his speedy return, the ambitious designs of his brothers, who might occupy the throne and treasures of Toulouse. After the departure of the Goths, and the separation of the allied army, Attila was surprised at the vast silence that reigned over the plains of Châlons: the suspicion of some hostile stratagem detained him several days within the circle of his waggons, and his retreat beyond the Rhine confessed the last victory which was achieved in the name of the Western empire (A.D. 451).

Invasion of Italy by Attila.

§ 17. Neither the spirit, nor the forces, nor the reputation of

* The actual site of the great battle, which was not Châlons itself, has been a subject of much controversy. Jordanes (*Getica*, c. 36), while describing it as taking place in the Catalaunian plains, adds, *qui et Mauriaci nominantur*. This *locus Mauriacus* has been variously identified with Méry-sur-Seine, in the department of the Aube, and with the now extinct village of Moirey, not far from Troyes. See Ranke, *Weltgeschichte*, iv. c. 9, pp. 299 and 300; Hodgkin, *Italy and her Invaders*, ii., pp. 124 and 143.

Attila were impaired by the failure of the Gallic expedition. In the ensuing spring (A.D. 452) he repeated his demand of the princess Honoria and her patrimonial treasures. The demand was again rejected or eluded; and the indignant lover immediately took the field, passed the Alps, invaded Italy, and besieged Aquileia with an innumerable host of barbarians. Aquileia was at that period one of the richest, the most populous, and the strongest of the maritime cities of the Adriatic coast. It was defended for three months with the utmost bravery; but the Huns at length took the city by assault; and the succeeding generation could scarcely discover the ruins of Aquileia. After this dreadful chastisement, Attila pursued his march; and as he passed, the cities of Altinum, Concordia, and Padua were reduced into heaps of stones and ashes. The inland towns, Vicenza, Verona, and Bergamo, were exposed to the rapacious cruelty of the Huns. Milan and Pavia submitted, without resistance, to the loss of their wealth; and applauded the unusual clemency which preserved from the flames the public as well as private buildings, and spared the lives of the captive multitude.

§ 18. It is a saying worthy of the ferocious pride of Attila, that the grass never grew on the spot where his horse had trod. Yet the savage destroyer undesignedly laid the foundations of a republic which revived, in the feudal state of Europe, the art and spirit of commercial industry. The celebrated name of Venice, or Venetia, was formerly diffused over a large and fertile province of Italy, from the confines of Pannonia to the river Addua, and from the Po to the Rhætian and Julian Alps. Many families of Aquileia, Padua, and the adjacent towns, who fled from the sword of the Huns, found a safe, though obscure, refuge in the neighbouring islands. At the extremity of the Gulf, where the Adriatic feebly imitates the tides of the ocean, near an hundred small islands are separated by shallow water from the continent, and protected from the waves by several long slips of land, which admit the entrance of vessels through some secret and narrow channels. Till the middle of the fifth century these remote and sequestered spots remained without cultivation, with few inhabitants, and almost without a name. But the manners of the Venetian fugitives, their arts and their government, were gradually formed by their new situation. A people whose habitations might be doubtfully assigned to the earth or water soon became alike familiar with the two elements; and the demands of avarice succeeded to those of necessity. The islanders, who from Grado to Chiozza, were intimately connected with each other, penetrated into the heart of Italy, by the secure, though laborious, navigation of the rivers and inland canals. Their vessels, which were continually increasing in size and number, visited all the harbours of the Gulf; and the marriage which Venice annually celebrates with the Adriatic was contracted in her early infancy. The epistle of Cassiodorus, the Prætorian præfect, is addressed to the maritime tribunes; and the

Foundation of the republic of Venice.

ambiguous office of these magistrates is explained by the tradition, that, in the twelve principal islands, twelve tribunes, or judges, were created by an annual and popular election.

Attila gives peace to the Romans.

§ 19. The Italians, who had long since renounced the exercise of arms, were surprised, after forty years' peace, by the approach of a formidable barbarian, whom they abhorred as the enemy of their religion as well as of their republic. Amidst the general consternation, Aëtius alone was incapable of fear; but it was impossible that he should achieve alone and unassisted any military exploits worthy of his former renown. The Western emperor embraced the resolution of deprecating, by a solemn and suppliant embassy, the wrath of Attila. This important commission was accepted by Avienus, a distinguished senator; and Leo, Bishop of Rome, consented to expose his life for the safety of his flock. The genius of Leo was exercised and displayed in the public misfortunes; and he has deserved the appellation of *Great* by the successful zeal with which he laboured to establish his opinions and his authority, under the venerable names of orthodox faith and ecclesiastical discipline. The Roman ambassadors were introduced to the tent of Attila, as he lay encamped at the place where the slow-winding Mincius is lost in the foaming waves of the lake Benacus, and trampled, with his Scythian cavalry, the farms of Catullus and Virgil. The barbarian monarch listened with favourable attention, and the deliverance of Italy was purchased by the immense ransom or dowry of the princess Honoria. The state of his army might facilitate the treaty and hasten his retreat. Their martial spirit was relaxed by the wealth and indolence of a warm climate; and the progress of disease revenged in some measure the injuries of the Italians. When Attila declared his resolution of carrying his victorious arms to the gates of Rome, he was admonished by his friends, as well as by his enemies, that Alaric had not long survived the conquest of the eternal city. His mind, superior to real danger, was assaulted by imaginary terrors; nor could he escape the influence of superstition, which had so often been subservient to his designs. The pressing eloquence of Leo, his majestic aspect and sacerdotal robes, excited the veneration of Attila for the spiritual father of the Christians. The apparition of the two apostles St. Peter and St. Paul, who menaced the barbarian with instant death if he rejected the prayer of their successor, is one of the noblest legends of ecclesiastical tradition. The safety of Rome might deserve the interposition of celestial beings; and some indulgence is due to a fable which has been represented by the pencil of Raphael and the chisel of Algardi.*

Death of Attila.

§ 20. Before the king of the Huns evacuated Italy, he threatened to return more dreadful, and more implacable, if his bride, the princess Honoria, were not delivered to his ambassadors within

* The picture of Raphael is in the Vatican; the basso (or perhaps the alto) relievo of Algardi on one of the altars of St. Peter's.

the term stipulated by the treaty. Yet, in the meanwhile, Attila relieved his tender anxiety by adding a beautiful maid, whose name was Ildico, to the list of his innumerable wives. Their marriage was celebrated with barbaric pomp and festivity, at his wooden palace beyond the Danube; and the monarch retired at a late hour from the banquet. His attendants continued to respect his repose the greatest part of the ensuing day, till the unusual silence alarmed their fears and suspicions; and, after attempting to awaken Attila by loud and repeated cries, they at length broke into the royal apartment. They found the trembling bride sitting by the bedside, hiding her face with a veil, and lamenting her own danger, as well as the death of the king, who had expired during the night (A.D. 453). An artery had suddenly burst: and as Attila lay in a supine posture, he was suffocated by a torrent of blood, which, instead of finding a passage through the nostrils, regurgitated into the lungs and stomach. It was reported at Constantinople that, on the fortunate night in which he expired, Marcian beheld in a dream the bow of Attila broken asunder: and the report may be allowed to prove how seldom the image of that formidable barbarian was absent from the mind of a Roman emperor.

Destruction of his empire.

§ 21. The revolution which subverted the empire of the Huns established the fame of Attila, whose genius alone had sustained the huge and disjointed fabric. After his death the boldest chieftains aspired to the rank of kings; the most powerful kings refused to acknowledge a superior; and the numerous sons whom so many various mothers bore to the deceased monarch divided and disputed like a private inheritance the sovereign command of the nations of Germany and Scythia. Ellac, the eldest son of Attila, lost his life and crown in the memorable battle of Nedao, in Pannonia, in which Ardaric, king of the Gepidæ, defeated his rivals. Dengisich, the brother of Ellac, with an army of Huns still formidable in their flight and ruin, maintained his ground above fifteen years on the banks of the Danube. The palace of Attila, with the old country of Dacia, from the Carpathian hills to the Euxine, became the seat of a new power which was erected by Ardaric, king of the Gepidæ. The Pannonian conquests, from Vienna to Sirmium, were occupied by the Ostrogoths; and the settlements of the tribes who had so bravely asserted their native freedom were irregularly distributed according to the measure of their respective strength. Surrounded and oppressed by the multitude of his father's slaves, the kingdom of Dengisich was confined to the circle of his waggons; his desperate courage urged him to invade the Eastern empire: he fell in battle, and his head, ignominiously exposed in the Hippodrome, exhibited a grateful spectacle to the people of Constantinople. Irnac, the youngest of the sons of Attila, retired with his subject hordes into the heart of the Lesser Scythia. They were soon overwhelmed by a torrent of new barbarians, who followed the same road which their own ancestors

had formerly discovered. The Avars, whose residence is assigned by the Greek writers to the shores of the ocean, impelled the adjacent tribes; till at length the Igours of the North spread themselves over the desert as far as the Borysthenes and the Caspian gates, and finally extinguished the empire of the Huns.

Murder of Aëtius.

§ 22. The death of Attila was followed by the murder of the patrician Aëtius. Valentinian, from the instinct of a base and jealous mind, hated the man who was universally celebrated as the terror of the barbarians and the support of the republic. The fame of Aëtius, his wealth and dignity, the numerous and martial train of barbarian followers, and the hopes of his son Gaudentius, who was already contracted to Eudoxia, the emperor's daughter, had raised him above the rank of a subject. Aëtius himself, supported by the consciousness of his merit, his services, and perhaps his innocence, seems to have maintained a haughty and indiscreet behaviour. From a vain confidence that the enemy whom he despised was incapable even of a manly crime, he rashly ventured his person in the palace of the emperor. Whilst he urged, perhaps with intemperate vehemence, the marriage of his son, Valentinian, drawing his sword—the first sword he had ever drawn—plunged it in the breast of a general who had saved his empire: his courtiers and eunuchs ambitiously struggled to imitate their master; and Aëtius, pierced with an hundred wounds, fell dead in the royal presence (A.D. 454).

Death of Valentinian III.

§ 23. The public contempt which had been so long entertained for Valentinian was at once converted into deep and universal abhorrence; and in the following year an outrage which he offered to one of his subjects was avenged by the emperor's death. Valentinian, whose pleasures were injurious to the honour of the noble families of Rome, had ravished the wife of Petronius Maximus, a wealthy senator of the Anician family.* The emperor had imprudently admitted among his guards several domestics and followers of Aëtius. Two of these, of barbarian race, were persuaded by Maximus to execute a sacred and honourable duty by punishing with death the assassin of their patron. Whilst Valentinian amused himself in the field of Mars with the spectacle of some military sports, they suddenly rushed upon him with drawn weapons and stabbed the emperor to the heart, without the least opposition from his numerous train, who seemed to rejoice in the tyrant's death (A.D. 455, March 16). Such was the fate of Valentinian the Third, the last Roman emperor of the family of Theodosius. He faithfully imitated the

* The story of Valentinian's adultery with the wife of Maximus rests on a passage attributed to John of Antioch (Müller, *F. H. G.*, *fr.* 200, § 1). Another passage, also attributed to the same writer (*fr.* 201, § 4), gives quite a different account; it attributes Valentinian's murder to the jealousy of Maximus at not being promoted to the consulship or the patriciate. The relative value of the accounts cannot be ascertained until it is determined which passage belongs to the historian.

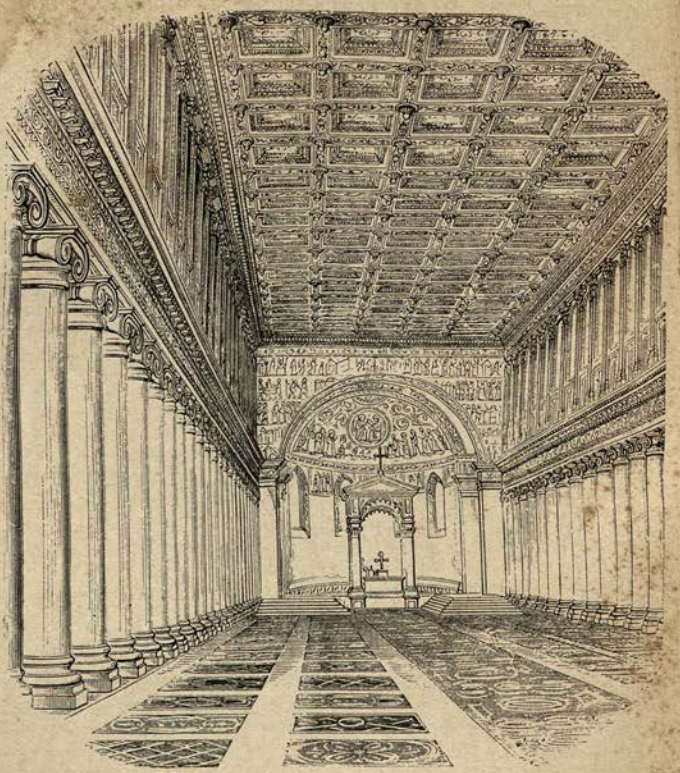
hereditary weakness of his cousin and his two uncles, without inheriting the gentleness, the purity, the innocence, which alleviate in their characters the want of spirit and ability.

[Bury, *History of the Later Roman Empire*, bk. ii. cc. 6–8; Hodgkin, *Italy and her Invaders*, bk. iii. cc. 1 and 2; Ranke, *Weltgeschichte*, IV. i. cc. 8 and 9; Freeman, *Tyrants of Britain, Gaul, and Spain* in *English Historical Review*, January, 1886; *Aëtius and Boniface*, in *English Historical Review*, July, 1887.]

Coin of Arcadius.

Coin of Honorius.

Coin of Theodosius II.



Basilica of Sta. Maria Maggiore at Rome, completed about A.D. 432.

## CHAPTER XVIII.

### FROM THE DEATH OF VALENTINIAN III. TO THE EXTINCTION OF THE WESTERN EMPIRE.

§ 1. Naval power of the Vandals: accession and death of MAXIMUS, emperor of the West. § 2. Sack of Rome by the Vandals. § 3. Reign of AVITUS. § 4. Reign of MAJORIAN. § 5. Ricimer reigns under the name of SEVERUS. § 6. ANTHEMIUS, emperor of the West: failure of the expedition against the Vandals. § 7. OLYBRIUS, emperor of the West: sack of Rome and death of Anthemius. § 8. Reigns of GLYCERIUS and JULIUS NEPOS: AUGUSTULUS, last emperor of the West. § 9. Odoacer, regent of Italy. § 10. Reign of Odoacer. § 11.

Euric, king of the Visigoths. § 12. Clovis, king of the Franks. § 13. His conquests. § 14. Consulship of Clovis, and final establishment of the French monarchy in Gaul. § 15. The Visigoths of Spain. § 16. Conquest of Britain by the Saxons.

Naval power of the Vandals: accession and death of MAXIMUS, emperor of the West.

§ 1. THE loss or desolation of the provinces from the Ocean to the Alps impaired the glory and greatness of Rome: her internal prosperity was irretrievably destroyed by the separation of Africa. The rapacious Vandals confiscated the patrimonial estates of the senators, and intercepted the regular subsidies which relieved the poverty and encouraged the idleness of the plebeians. The distress of the Romans was soon aggravated by an unexpected attack; and the province, so long cultivated for their use by industrious and obedient subjects, was armed against them by an ambitious barbarian. Genseric resolved to create a naval power; and, after an interval of six centuries, the fleets that issued from the port of Carthage again claimed the empire of the Mediterranean. The success of the Vandals, the conquest of Sicily, the sack of Palermo, and the frequent descents on the coast of Lucania, awakened and alarmed the mother of Valentinian. The death of this emperor was the immediate occasion of the invasion of Italy and the sack of Rome. Maximus, who succeeded Valentinian upon the imperial throne, having lost his own wife soon after his accession, attempted to compel the widow of Valentinian to marry the assassin of her deceased husband. Eudoxia, who was still conscious that she descended from a line of emperors, secretly implored the aid of the king of the Vandals; and persuaded Genseric to improve the fair opportunity of disguising his rapacious designs by the specious names of honour, justice, and compassion.* Genseric immediately equipped a numerous fleet of Vandals and Moors, and cast anchor at the mouth of the Tiber, about three months after the death of Valentinian. Whatever abilities Maximus might have shown in a subordinate station, he was found incapable of administering an empire; and when the Vandals disembarked at the mouth of the Tiber, the only hope which presented itself to his astonished mind was that of a precipitate flight. But no sooner did he appear in the streets than he was destroyed by the populace, and his mangled body was ignominiously cast into the Tiber.

Sack of Rome by the Vandals.

§ 2. On the third day after the tumult, Genseric boldly advanced from the port of Ostia to the gates of the defenceless city. Instead of a sally of the Roman youth, there issued from the gates an unarmed and venerable procession of the bishop at the head of his clergy. The fearless spirit of Leo, his authority and eloquence, *again* mitigated the fierceness of a barbarian conqueror: the king of the Vandals promised to spare the unresisting multitude,

*. John of Antioch (Müller, *F. H. G.*, fr. 201, § 6) describes this invitation by Eudoxia as a rumour (οἱ δέ φασι κ. τ. λ.). Genseric may have come of his own accord, but his arrival was doubtless welcomed by the empress. See Bury, *Later Roman Empire*, bk. iii. c. 3.

to protect the buildings from fire, and to exempt the captives from torture; and although such orders were neither seriously given, nor strictly obeyed, the mediation of Leo was glorious to himself, and in some degree beneficial to his country. Rome and its inhabitants were delivered to the licentiousness of the Vandals and Moors, whose blind passions revenged the injuries of Carthage. The pillage lasted fourteen days and nights (A.D. 455, June 15–29); and all that yet remained of public or private wealth was diligently transported to the vessels of Genseric. In the 45 years that had elapsed since the Gothic invasion, the pomp and luxury of Rome were in some measure restored; and it was difficult either to escape, or to satisfy, the avarice of a conqueror who possessed leisure to collect, and ships to transport, the wealth of the capital. Eudoxia herself, who advanced to meet her friend and deliverer, soon bewailed the imprudence of her own conduct. She was rudely stripped of her jewels; and the unfortunate empress, with her two daughters, the only surviving remains of the great Theodosius, was compelled, as a captive, to follow the haughty Vandal, who immediately hoisted sail, and returned with a prosperous navigation to the port of Carthage.

Reign of Avitus.

§ 3. The next Roman emperor was appointed by the Visigoths. Avitus, who was descended from a noble family in the diocese of Auvergne, had been promoted by Maximus to the general command of the forces in Gaul, and cultivated the friendship of Theodoric II., who had acquired the Visigothic sceptre by the murder of his elder brother Torismond. Upon receiving intelligence of the death of Maximus, the Goths were easily persuaded to support the claims of Avitus to the vacant throne (A.D. 455, July 9). The formal consent of Marcian, emperor of the East, was solicited and obtained; but the senate, Rome and Italy, though humbled by their recent calamities, submitted with a secret murmur to the presumption of the Gallic usurper.

The short reign of Avitus was signalised by the exploits of Theodoric in Spain. After the passage of the Vandals into Africa, the Suevi, who had fixed their kingdom in Gallæcia, aspired to the conquest of Spain, and threatened to extinguish the feeble remains of the Roman dominion. The Gothic king marched into Spain as the general of the republic, and defeated and slew Rechiarius (Rechiar), king of the Suevi. But whilst Theodoric fought and vanquished in the name of Avitus, the reign of Avitus had expired. Count Ricimer, whose mother was the daughter of Wallia, king of the Visigoths, and who was descended on the father's side from the nation of the Suevi, was exasperated by the misfortunes of his countrymen, whom Theodoric was subduing, and he obeyed with reluctance an emperor in whose elevation he had not been consulted. His faithful and important services against the common enemy rendered him still more formidable; and, after destroying on the coast of Corsica a fleet of Vandals, which consisted of sixty galleys, Ricimer

returned in triumph with the appellation of the Deliverer of Italy. He chose that moment to signify to Avitus that his reign was at an end; and the feeble emperor, who had been persuaded to fix his residence at Rome, at a distance from his Gothic allies, was compelled to abdicate the purple (A.D. 456, October 16). By the clemency of Ricimer, he was permitted to descend from the throne to the bishopric of Placentia. Avitus left only one daughter, the wife of the poet Sidonius Apollinaris, whose extant poems celebrate the praises of his father-in-law.

Reign of MAJORIAN.

§ 4. The successor of Avitus presents the welcome discovery of a great and heroic character, such as sometimes arises, in a degenerate age, to vindicate the honour of the human species. Majorian, whom Ricimer, at the unanimous wish of the Romans, elevated to the purple (April, A.D. 457) five or six months after the deposition of Avitus, had followed the standard of Aëtius, contributed to his success, shared and sometimes eclipsed his glory. The laws of Majorian discover a desire to supply judicious and effectual remedies to the public disorders; and his military exploits shed a last halo of glory upon the falling fortunes of Rome. Majorian crossed the Alps, vanquished Theodoric in the field, and admitted to his friendship and alliance a king whom he had found not unworthy of his arms (A.D. 459). He formed the design of attacking the Vandals in their new settlements, and collected a powerful fleet in the secure and capacious harbour of Cartagena, in Spain. But Genseric was saved from impending and inevitable ruin by the treachery of some powerful subjects, envious or apprehensive of their master's success. Guided by their secret intelligence, he surprised the unguarded fleet in the bay of Cartagena: many of the ships were sunk, or taken, or burnt; and the preparations of three years were destroyed in a single day (A.D. 460). This misfortune sullied the glory of Majorian, which had dazzled the eyes of the multitude: almost every description of civil and military officers, who were interested in the abuses which he attempted to suppress, were exasperated against him, and the patrician Ricimer impelled the inconstant passions of the barbarians against a prince whom he esteemed and hated. Majorian was compelled to abdicate the Imperial purple, and five days after his abdication it was reported that he died of a dysentery (A.D. 461, August 7).*

Ricimer reigns under the name of SEVERUS.

§ 5. It was not perhaps without some regret that Ricimer sacrificed his friend to the interest of his ambition: but he resolved in a second choice to avoid the imprudent preference of superior virtue and merit. At his command the obsequious senate of Rome bestowed the Imperial title on Libius Severus, who ascended the throne of the West without emerging from the obscurity of a private condition. History has scarcely deigned

* This is the account of Procopius (*Bellum Vandalicum*, i. 7). According to another account, that of John of Antioch (Müller, *F. H. G.*, *fr.* 203), he was stripped of the purple and diadem, scourged and beheaded.

to notice his birth, his elevation, his character, or his death. Severus expired as soon as his life became inconvenient to his patron; and it would be useless to discriminate his nominal reign in the vacant interval of six years between the death of Majorian and the elevation of Anthemius (A.D. 461–467). During that period the government was in the hands of Ricimer alone; and, although the modest barbarian disclaimed the name of king, he ruled Italy with the same independent and despotic authority which was afterwards exercised by Odoacer and Theodoric. But his dominions were bounded by the Alps; and two Roman generals, Marcellinus and Ægidius, maintained their allegiance to the republic, by rejecting with disdain the phantom which he styled an emperor. Marcellinus occupied the province of Dalmatia, under the title of patrician of the West; and Ægidius, under the name of the master-general of Gaul, maintained an independent sovereignty in that country. The kingdom of Italy was afflicted, under the reign of Ricimer, by the incessant depredations of the Vandal pirates. They repeatedly visited the coasts of Spain, Liguria, Tuscany, Campania, Lucania, Bruttium, Apulia, Calabria, Venetia, Dalmatia, Epirus, Greece, and Sicily: they were tempted to subdue the island of Sardinia, so advantageously placed in the centre of the Mediterranean; and their arms spread desolation or terror from the columns of Hercules to the mouths of the Nile. The war which the king of the Vandals prosecuted against the Roman empire was justified by a specious and reasonable motive. The widow of Valentinian, Eudoxia, whom he had led captive from Rome to Carthage, was the sole heiress of the Theodosian house; her elder daughter, Eudocia, became the reluctant wife of Hunneric, his eldest son; and the stern father, asserting a legal claim which could not easily be refuted or satisfied, demanded a just proportion of the Imperial patrimony. An adequate, or at least a valuable compensation, was offered by the Eastern emperor to purchase a necessary peace. Eudoxia, and her younger daughter Placidia, were honourably restored, and the fury of the Vandals was confined to the limits of the Western empire. Ricimer, unable to protect the coasts of Italy, was at length reduced to address the throne of Constantinople in the humble language of a subject; and Italy submitted, as the price and security of the alliance, to accept a master from the choice of the emperor of the East. It is not the purpose of the present chapter to continue the distinct series of the Byzantine history; but a concise view of the reign and character of the emperor Leo may explain the last efforts that were attempted to save the falling empire of the West.

ANTHEMIUS, emperor of the West: failure of the expedition against the Vandals.

§ 6. Pulcheria, who had bestowed her hand, and the sceptre of the East, on Marcian, died in A.D. 453; but her husband continued upon the throne till his own death in 457. He was succeeded by Leo of Thrace, a military tribune, whom the patrician Aspar, the most powerful subject in the East,* placed upon the

* Aspar was at this time *magister militum per Orientem.* He might

throne. Aspar, who was an Arian, and favoured the cause of Genseric, turned a deaf ear to the complaints of the Western empire; but after the fall of this powerful subject, Leo listened to the entreaties of Ricimer, nominated Anthemius emperor of the West, and expressed his determination to extirpate the tyranny of the Vandals. The solemn inauguration of Anthemius was followed by the nuptials of his daughter and the patrician Ricimer; a fortunate event, which was considered as the firmest security of the union and happiness of the state. The powers of the Eastern empire were strenuously exerted to deliver Italy and the Mediterranean from the Vandals. The fleet that sailed from Constantinople to Carthage consisted of 1113 ships, and the number of soldiers and mariners exceeded 100,000 men. Basiliscus, the brother of the empress Verina, was intrusted with this important command. He landed his troops at Cape Bon, or the promontory of Mercury, about 40 miles from Carthage; the Vandals who opposed his progress by sea or land were successively vanquished; and if Basiliscus had seized the moment of consternation and boldly advanced to the capital, Carthage must have surrendered, and the kingdom of the Vandals been extinguished. But he consented to a fatal truce for five days; and Genseric availed himself of this short respite to destroy the Roman fleet by means of fire-ships. Basiliscus returned to Constantinople with the loss of more than half of his fleet and army, and sheltered his guilty head in the sanctuary of St. Sophia, till his sister, by her tears and entreaties, could obtain his pardon from the indignant emperor. After the failure of this great expedition (A.D. 468), Genseric again became the tyrant of the sea: the coasts of Italy, Greece, and Asia were again exposed to his revenge and avarice; Tripoli and Sardinia returned to his obedience; he added Sicily to the number of his provinces; and, before he died (A.D. 477), in the fulness of years and glory, he beheld the final extinction of the empire of the West.

§ 7. The peaceful and prosperous reign which Anthemius had promised to the West was soon clouded by misfortune and discord. Ricimer, apprehensive or impatient of a superior, retired from Rome and fixed his residence at Milan. Italy was gradually divided into two independent and hostile kingdoms. When Ricimer had collected a powerful army of barbarians, he marched from Milan to the gates of Rome, and declared Olybrius emperor of the West.

OLYBRIUS, emperor of the West: sack of Rome and death of Anthemius.

Olybrius had married Placidia, the younger daughter of Valentinian, after she was restored by Genseric, and might esteem himself the lawful heir of the Western empire. But the body of the senate and people firmly adhered to the cause of Anthemius; and the more effectual support of a Gothic army enabled him to prolong his reign by a resistance of three months.

possibly have mounted the throne himself but for his barbarian birth (he was an Alan) and his heretical beliefs.

The unfortunate Anthemius was finally dragged from his concealment and inhumanly massacred by the command of his son-in-law, who thus added a third, or perhaps a fourth, emperor to the number of his victims (July, A.D. 472). The soldiers were indulged without control in the licence of rapine and murder, and Rome experienced the horrors of a city taken by assault. Forty days after this calamitous event, Italy was delivered, by a painful disease, from the tyrant Ricimer, who bequeathed the command of his army to his nephew Gundobad, one of the princes of the Burgundians. In the same year all the principal actors in this great revolution were removed from the stage; and the whole reign of Olybrius, whose death does not betray any symptoms of violence, is included within the term of less than four months (October, A.D. 472).

Reigns of GLYCERIUS and JULIUS NEPOS: AUGUSTULUS, last emperor of the West.

§ 8. Whilst the vacant throne of Italy was abandoned to lawless barbarians, the election of a new colleague was seriously agitated in the council of Leo. The empress Verina had married one of her nieces to Julius Nepos, who succeeded his uncle Marcellinus in the sovereignty of Dalmatia, a more solid possession than the title which he was persuaded to accept of Emperor of the West. But the measures of the Byzantine court were so languid and irresolute, that many months elapsed after the death of Anthemius, and even of Olybrius, before their destined successor could show himself, with a respectable force, to his Italian subjects. During that interval, Glycerius, an obscure soldier,* was invested with the purple by his patron Gundobad; but the Burgundian prince was unable or unwilling to support his nomination by a civil war: and his client was permitted to exchange the Roman sceptre for the bishopric of Salona. After extinguishing such a competitor, the emperor Nepos was acknowledged by the senate, by the Italians, and by the provincials of Gaul (June 24, A.D. 474); but his repose was soon invaded by a furious sedition of the barbarian confederates, who, under the command of Orestes, their general, were in full march from Rome to Ravenna. Nepos trembled at their approach; and retired to his Dalmatian principality, on the opposite coast of the Adriatic (August 28, A.D. 475).

Orestes was a native of Pannonia, and when that province was ceded to the Huns, he entered into the service of Attila, his lawful sovereign, obtained the office of his secretary, and was repeatedly sent ambassador to Constantinople. After the death of Attila, he transferred his allegiance to the emperors of the West; and was elevated to the dignities of patrician and master-general of the troops. These troops had been long accustomed to reverence the character and authority of Orestes; at his solicitation they rose in arms against the obscure Greek who presumed to claim their obedience; and when Orestes, from some secret motive, declined the purple, they consented, with the same facility, to acknowledge his son Augustulus as

* He was count of the domestics (*comes domesticorum*). See ch. x. § 18.

the emperor of the West (A.D. 475).* By the abdication of Nepos, Orestes had now attained the summit of his ambitious hopes; but he soon discovered, before the end of the first year, that the lessons of perjury and ingratitude which a rebel must inculcate will be retorted against himself, and that the precarious sovereign of Italy was only permitted to choose whether he would be the slave or the victim of his barbarian mercenaries. The dangerous alliance of these strangers had oppressed and insulted the last remains of Roman freedom and dignity. They even insisted that a *third* part of the lands of Italy should be immediately divided among them. Orestes rejected the audacious demand; and his refusal was favourable to the ambition of Odoacer (Odovacar), a bold barbarian, who assured his fellow-soldiers that, if they dared to associate under his command, they might soon extort the justice which had been denied to their dutiful petitions. From all the camps and garrisons of Italy the confederates impatiently flocked to the standard of this popular leader; and the unfortunate Orestes, overwhelmed by the torrent, hastily retreated to Pavia. The city was immediately besieged, the fortifications were stormed, and Orestes was slain. The helpless Augustulus, who could no longer command the respect, was reduced to implore the clemency, of Odoacer (A.D. 476).

Odoacer, regent of Italy.

§ 9. That successful barbarian was the son of Edecon, who, in some remarkable transactions, described in a preceding chapter,† had been the colleague of Orestes himself. Edecon was the hereditary leader of the Sciri,‡ and fell in battle against the Ostrogoths, after the death of Attila. His son, Odoacer, for some time led a wandering life among the barbarians of Noricum, and was afterwards admitted into the service of the Western empire, and soon obtained an honourable rank in the guards. His manners were gradually polished, his military skill was improved, and the confederates of Italy would not have elected him for their general unless the exploits of Odoacer had established a high opinion of his courage and capacity. After the death of Orestes, Odoacer was saluted by his confederates with the title of king, but he abstained during his whole reign from the use of the purple and the diadem.§ He

* Romulus was the proper name of the emperor. Augustulus appears to be a nickname derived from his position as Augustus (see Ranke, *Weltgeschichte*, IV. i. c. 12). Why it was given him is not known; it may have been a mark of affection, rather than of contempt, for the young ruler.

† See ch. xvii. § 9.

‡ The Sciri (or Scyri), with whom the Rugii and Turcilingi are usually associated, are first found east of the Goths about the Spirdingsee (N.E. Prussia) (Zeuss, *Die Deutschen und die Nachbarstämme*, p. 156). In the fifth century, A.D., they are found on the Danube, and there became for a time a part of Attila's empire (Dahn, *Könige der Germanen*, ii. p. 29).

§ Even in the coin of Odoacer, on which the existence of the Eastern empire is ignored, he is not represented as wearing the diadem (Ranke, *Weltgeschichte*, IV. i. c. 13).

resolved, however, to abolish the useless and expensive office of emperor of the West; and such is the weight of antique prejudice, that it required some boldness and penetration to discover the extreme facility of the enterprise. The unfortunate Augustulus was made the instrument of his own disgrace; he signified his resignation to the senate; and that assembly, in their last act of obedience to a Roman prince, still affected the spirit of freedom and the forms of the constitution. An epistle was addressed, by their unanimous decree, to the emperor Zeno, the son-in-law and successor of Leo. They solemnly disclaimed the necessity, or even the wish, of continuing any longer the Imperial succession in Italy; since, in their opinion, the majesty of a sole monarch is sufficient to pervade and protect, at the same time, both the East and the West. In their own name, and in the name of the people, they consented that the seat of universal empire should be transferred from Rome to Constantinople. The republic (they repeat that name without a blush) might safely confide in the civil and military virtues of Odoacer; and they humbly request that the emperor would invest him with the title of Patrician, and the administration of the *diocese* of Italy.* Zeno acceded to their request; and he gratefully accepted the Imperial ensigns, the sacred ornaments of the throne and palace, which the barbarian was not unwilling to remove from the sight of the people.

Reign of Odoacer.

§ 10. Odoacer was the first barbarian who reigned in Italy, over a people who had once asserted their just superiority above the rest of mankind. He was not unworthy of the high station to which his valour and fortune had exalted him. After an interval of seven years, he restored the consulship of the West. Italy was protected by the arms of its conqueror; and its frontiers were respected by the barbarians of Gaul and Germany, who had so long insulted the feeble race of Theodosius. But, notwithstanding the success of Odoacer, his kingdom exhibited the sad prospect of misery and desolation. In the division and decline of the empire, the tributary harvests of Egypt and Africa were withdrawn; the numbers of the inhabitants continually diminished with the means of subsistence; and the country was exhausted by the irretrievable losses of war, famine, and pestilence. After a reign of 13 years (A.D. 476–489) Odoacer was oppressed by the superior genius of Theodoric, king of the Ostrogoths; a hero alike excellent in the arts of war and of government, who restored an age of peace and prosperity, and whose name still excites and deserves the attention of mankind.

* The word "diocese" in the message is an abstract term meaning "administration." This clause of the Senate's request ran δεῖσθαι τοῦ Ζήνωνος πατρικίου τε αὐτῷ (Ὀδοάχῳ) ἀποστεῖλαι ἀξίαν καὶ τὴν τῶν Ἰταλῶν τούτῳ ἐφεῖναι διοίκησιν (Malchus, in Müller, *F. H. G.*, iv. p. 119, § 10). No part of the Roman empire, therefore, fell with Odoacer's accession. As patrician he governed the West for *the* emperor at Constantinople.

Euric, king of the Visigoths.

§ 11. In closing the history of the Western empire, the fortunes of Gaul, Spain, and Britain must briefly claim our attention.

Theodoric II., king of the Visigoths in Gaul, was assassinated by his brother Euric (A.D. 466), who displayed, with a more savage temper, superior abilities both in peace and war. He passed the Pyrenees at the head of a numerous army, subdued the greater part of Spain, and permitted the Suevi to hold the kingdom of Gallæcia under the Gothic monarchy. The efforts of Euric were not less vigorous or less successful in Gaul; and throughout the country that extends from the Pyrenees to the Rhône and the Loire, Berry and Auvergne were the only cities or dioceses which refused to acknowledge him as their master. As soon as Odoacer had extinguished the Western empire, he sought the friendship of Euric, and resigned to him all the Roman conquests beyond the Alps, as far as the Rhine and the Ocean. The lawful pretensions of Euric were justified by ambition and success, and the Gothic nation might aspire under his command to the monarchy of Spain and Gaul. But the fortune of nations has often depended on accidents; and France may ascribe her greatness to the premature death of the Gothic king at a time when his son Alaric was an helpless infant, and his adversary Clovis an ambitious and valiant youth.

Clovis, king of the Franks.

§ 12. Clovis (Chlodwig) succeeded his father Childeric at the early age of 15 years to the command of the Salian tribe.* The narrow limits of his kingdom were confined to the island of the Batavians, with the ancient dioceses of Tournay and Arras; and at the baptism of Clovis the number of his warriors could not exceed 5000. The kindred tribes of the Franks who had seated themselves along the Belgic rivers, the Scheldt, the Meuse, the Moselle, and the Rhine,† were governed by their independent kings—the equals, the allies, and sometimes the enemies, of the Salic prince. But the Germans, who obeyed in peace the hereditary jurisdiction of their chiefs, were free to follow the standard of a popular and victorious general; and the superior merit of Clovis attracted the respect and allegiance of the national confederacy. He was intercepted in the career of victory, since he died in the 45th year of his age: but he had already accomplished, in a reign of 30 years (A.D. 481–511), the establishment of the French monarchy in Gaul.

His conquests.

§ 13. The first exploit of Clovis was the defeat of Syagrius, the son of Ægidius, who exercised an independent authority over the second Belgic and the adjoining districts. After annexing these provinces to the kingdom of the Franks, Clovis turned his

* The Salian (or Lower) Franks derived their appellation from Sala, the old name for the Yssel (Zeuss, *Die Deutschen und die Nachbarstämme*, p. 329).

† These are the Upper or Ripuarian Franks. They were called *Riparii* by the Romans, and this they corrupted into *Ripuarii* (Zeuss, *op. cit.* p. 343).

victorious arms against the Alemanni, who commanded either side of the Rhine from its source to its conflux with the Main and the Moselle, and who had spread themselves into Gaul over the provinces of Alsace and Lorraine. They were utterly defeated by the king of the Franks, their king was slain in battle, and their territories became the prize of their conqueror (A.D. 496). The conquest of the Alemanni was followed almost immediately by the baptism of Clovis, who had up to this time continued to worship the gods of his ancestors. The Merovingian prince had contracted a fortunate alliance with the fair Clotilda, the niece of the king of Burgundy, who in the midst of an Arian court was educated in the profession of the catholic faith. It was her duty to achieve the conversion of a Pagan husband; the king declared himself satisfied of the truth of the catholic faith, and the political reasons which might have suspended his public profession were removed by the devout or loyal acclamations of the Franks, who showed themselves alike prepared to follow their heroic leader to the field of battle or to the baptismal font. The new Constantine was immediately baptized with 3000 of his warlike subjects in the Cathedral of Rheims, and their example was imitated by the remainder of the barbarians. The baptism of Clovis did not delay his conquest of Gaul. After the subjection of the Armoricans, Clovis gained a great victory over the Burgundians (A.D. 500), whose kingdom, which was defined by the course of the Saône and the Rhône, extended from the forest of Vosges to the Alps and the sea of Marseilles. The victory of Clovis overthrew the greatness and the glory of their kingdom; but it was not finally united to the monarchy of the Franks till the next generation. The last conquest of Clovis was that of the Visigoths. At the battle of Poitiers (A.D. 507), the king of the Franks gained a decisive victory over the Visigoths; their king Alaric was slain by the hands of Clovis himself; and their power in Gaul was completely destroyed. Clovis allowed them to retain the possession of Septimania, a narrow tract of sea-coast, from the Rhône to the Pyrenees; but the ample province of Aquitain, from those mountains to the Loire, was indissolubly united to the kingdom of France.

Consulship of Clovis and final establishment of the French monarchy in Gaul.

§ 14. After the success of the Gothic war, Clovis accepted from the emperor Anastasius the honours of the Roman consulship. The emperor of the East, by bestowing this honour upon the king of the Franks, seemed almost to ratify the usurpation of Gaul. Twenty-five years after the death of Clovis this important concession was more formally declared in a treaty between his sons and the emperor Justinian, who, generously yielding to the Franks the sovereignty of the countries beyond the Alps, which they already possessed, absolved the provincials from their allegiance; and established on a more lawful, though not more solid, foundation, the throne of the Merovingians (A.D. 536).

The Visi-

§ 15. The Visigoths had resigned to Clovis the greatest part

of their Gallic possessions; but their loss was amply compensated by the easy conquest and secure enjoyment of the provinces of Spain. Here they continued to rule till the final overthrow of their monarchy by the Saracens at the beginning of the eighth century; but it is unnecessary to pursue the obscure and barren series of their annals. goths of Spain.

§ 16. While the kingdoms of the Franks and Visigoths were established in Gaul and Spain, the Saxons achieved the conquest of Britain, the third great diocese of the præfecture of the West. The details of this conquest are not recorded by any contemporary writer, and are only traditional. The common story of Hengist and Horsa, Vortigern and Rowena, rests simply upon the authority of Bede, who lived at the beginning of the eighth century. There is evidence that there were Saxons in England before A.D. 449, the received date of the landing of Hengist and Horsa, and it is probable that these pirates had nearly two centuries previously formed settlements in our island. But after the dissolution of the Roman government their numbers were constantly increased by the arrival of fresh swarms of their countrymen; and, notwithstanding the vigorous resistance of the Britons, the Saxons gradually subdued the whole of the island, with the exception of the country west of the Severn, where the bravest warriors found a secure refuge in the mountains of Wales. The arts and religion, the laws and language, which the Romans had so carefully planted in Britain, were extirpated by their barbarous successors. The kings of France maintained the privileges of their Roman subjects; but the ferocious Saxons trampled on the laws of Rome and of the emperors. The proceedings of civil and criminal jurisdiction, the titles of honour, the forms of office, the ranks of society, and even the domestic rights of marriage, testament, and inheritance, were finally suppressed; and the indiscriminate crowd of noble and plebeian slaves was governed by the traditionary customs which had been coarsely framed for the shepherds and pirates of Germany. The language of science, of business, and of conversation, which had been introduced by the Romans, was lost in the general desolation; and the Germans preserved and established the use of their national dialect. The example of a revolution so rapid and so complete may not easily be found; but it will excite a probable suspicion that the arts of Rome were less deeply rooted in Britain than in Gaul or Spain; and that the native rudeness of the country and its inhabitants was covered by a thin varnish of Italian manners. The Conquest of Britain by the Saxons.

[Bury, *History of the Later Roman Empire*, bk. iii. cc. 1–5; Hodgkin, *Italy and her Invaders*, bk. iii. cc. 4–9; Ranke, *Weltgeschichte*, IV. i. cc. 11, 12; Dahn, *Könige der Germanen*, ii. p. 35.]

Coin of Leo II. and Zeno.

## CHAPTER XIX.

### REIGN OF THEODORIC, KING OF THE ITALIANS.

§ 1. Birth and education of Theodoric. § 2. Reigns of ZENO and ANASTASIUS. § 3. Invasion of Italy by Theodoric. § 4. Defeat and death of Odoacer: Theodoric king of the Italians. § 5. Partition of lands: separation of the Goths and Italians. § 6. Foreign policy of Theodoric. § 7. Civil government of Italy. § 8. Prosperity of Rome: visit of Theodoric. § 9. Flourishing state of Italy. § 10. Ecclesiastical government. § 11. Vices of the government of Theodoric. § 12. Character, studies, and honours of Boëthius. § 13. He is accused of treason. § 14. Death of Boëthius and Symmachus. § 15. Death of Theodoric.

Birth and education of Theodoric.

§ 1. AFTER the fall of the Roman Empire in the West, an interval of fifty years, till the memorable reign of Justinian, is faintly marked by the obscure names and imperfect annals of Zeno, Anastasius, and Justin, who successively ascended the throne of Constantinople. During the same period Italy revived and flourished under the government of a Gothic king who might have deserved a statue among the best and bravest of the ancient Romans.

Theodoric the Ostrogoth, the fourteenth in lineal descent of the royal line of the Amali, was born in the neighbourhood of Vienna, two years after the death of Attila. A recent victory had restored the independence of the Ostrogoths; and the three brothers, Walamir, Theodemir, and Widemir, who ruled that warlike nation with united counsels, had separately pitched their habitations in the fertile, though desolate, province of Pannonia. The Huns still threatened their revolted subjects, but their hasty attack was repelled by the single forces of Walamir, and the news of his victory reached the distant camp of his brother in the same auspicious moment that the favourite concubine of Theodemir was delivered of a son and heir (A.D. 454). In the eighth year of his age, Theodoric was reluctantly yielded by his father to the public interest, as the pledge of an alliance which Leo, emperor of the East, had consented to purchase by an annual subsidy of three hundred pounds of gold. The royal hostage was educated at Constantinople with care and tenderness. His body was formed to all the exercises of

war, his mind was expanded by the habits of liberal conversation; he frequented the schools of the most skilful masters, but he disdained or neglected the arts of Greece; and so ignorant did he always remain of the first elements of science, that a rude mark was contrived to represent the signature of the illiterate king of Italy. As soon as he had attained the age of eighteen he was restored to the wishes of the Ostrogoths, whom the emperor aspired to gain by liberality and confidence. Walamir had fallen in battle; the youngest of the brothers, Widemir, had led away into Italy and Gaul an army of barbarians; and the whole nation acknowledged for their king the father of Theodoric. Soon afterwards the Ostrogoths, reduced to extreme distress by the want of clothing and food, resolved to desert their Pannonian encampments, and boldly to advance into the warm and wealthy neighbourhood of the Byzantine court. After proving, by some acts of hostility, that they could be dangerous, or at least troublesome, enemies, the Ostrogoths sold at a high price their reconciliation and fidelity, accepted a donative of lands and money, and were intrusted with the defence of the lower Danube under the command of Theodoric, who succeeded after his father's death (A.D. 476) to the hereditary throne of the Amali.

Reigns of Zeno and Anastasius.

§ 2. An hero, descended from a race of kings, must have despised the base Isaurian who was invested with the Roman purple, without any endowments of mind or body, without any advantages of royal birth or superior qualifications. The inheritance of Leo and of the East peaceably devolved on his infant grandson, the son of his daughter Ariadne; and her Isaurian husband, the fortunate Tarasicodissa, exchanged that barbarous sound for the Grecian appellation of Zeno. After the decease of the elder Leo, he humbly received as a gift the second rank in the empire, and soon excited the public suspicion on the sudden and premature death of his young colleague, whose life could no longer promote the success of his ambition.* But the palace of Constantinople was ruled by female influence, and agitated by female passions; and Verina, the widow of Leo, claiming his empire as her own, pronounced a sentence of deposition against the worthless and ungrateful servant on whom she alone had bestowed the sceptre of the East. As soon as she sounded a revolt in the ears of Zeno, he fled with precipitation into the mountains of Isauria; and her brother, Basiliscus, already infamous by his African expedition, was unanimously proclaimed by the servile senate. But the reign of the usurper was short and turbulent. By the conspiracy of the malcontents, Zeno was recalled from exile; and the armies, the capital, and the person of Basiliscus, were betrayed. While

* Before his death the weakly infant king, Leo II., had publicly given the diadem to his father, in order to secure the dynastic succession to the throne (Candidus, in Müller, *F. H. G.*, iv. p. 136). There was probably no ground whatever for the suspicion of foul play.

the East was afflicted by the passions of Verina, her daughter Ariadne was distinguished by the female virtues of mildness and fidelity; she followed her husband in his exile, and after his restoration she implored his clemency in favour of her mother. On the decease of Zeno, who reigned from 474 to 491, Ariadne, the daughter, the mother, and the widow of an emperor, gave her hand and the Imperial title to Anastasius, an aged domestic of the palace,* who survived his elevation above twenty-seven years (A.D. 491–518), and whose character is attested by the acclamation of the people, "Reign as you have lived!"

Invasion of Italy by Theodoric.

§ 3. Whatever fear or affection could bestow was profusely lavished by Zeno on the king of the Ostrogoths. As long as Theodoric condescended to serve, he supported with courage and fidelity the cause of his benefactor; but the faithful servant was suddenly converted into a formidable enemy, who spread the flames of war from Constantinople to the Adriatic. On such occasions Theodoric sustained the loud and specious reproach of disloyalty and of ingratitude, which could be only excused by the hard necessity of his situation. He reigned, not as the monarch, but as the minister of a ferocious people, whose spirit was unbroken by slavery, and impatient of real or imaginary insults. Their poverty was incurable, since the most liberal donatives were soon dissipated in wasteful luxury, and the most fertile estates became barren in their hands; they despised, but they envied, the laborious provincials; and when their substance had failed, the Ostrogoths embraced the familiar resources of war and rapine. The Byzantine court was glad to be rid of neighbours who were equally formidable as enemies or allies, and therefore accepted with joy the proposal of Theodoric that he should march, with his national troops, against Odoacer, and restore Italy to the Roman empire. But the forms of the commission or grant appear to have been expressed with a prudent ambiguity, which might be explained by the event; and it was left doubtful whether the conqueror of Italy should reign as the lieutenant, the vassal, or the ally, of the emperor of the East.†

The reputation both of the leader and of the war diffused an universal ardour; and each bold barbarian who had heard of the wealth and beauty of Italy was impatient to seek, through the most perilous adventures, the possession of such enchanting

* He was one of the thirty *silentiarii* (ἡσυχοποιοί), the inner guard of the palace, who protected the repose of the monarch and the doors of the imperial consistory.

† Zeno was emperor at the time that this commission is said to have been given to Theodoric (cf. Jordanes, *Getica*, 57). Although the story of an express commission is doubtful, Zeno's consent was natural enough. Ranke (*Weltgesch.*, IV. i. 3) gives two very good reasons for it: (i.) the alienation of Odoacer from Zeno (cf. ch. xviii. § 9, note §); and (ii.) the desire of Zeno to get the Gothic prince as far away from Constantinople as possible. After the conquest of Italy, Theodoric's position was recognised by Anastasius.

objects. The march of Theodoric must be considered as the emigration of an entire people; the wives and children of the Goths, their aged parents, and most precious effects, were carefully transported; and some idea may be formed of the heavy baggage that now followed the camp by the loss of 2000 waggons which had been sustained in a single action in the war of Epirus. After enduring numerous hardships during a march of 700 miles, which had been undertaken in the depth of a rigorous winter, Theodoric at length surmounted every obstacle by skilful conduct and persevering courage, descended from the Julian Alps, and displayed his invincible banners on the confines of Italy.

Defeat and death of Odoacer: Theodoric king of the Italians.

§ 4. The fate of Italy was decided in three battles (A.D. 489, 490); * and after three defeats, Odoacer, despairing any longer of success in the field, shut himself up in Ravenna. This city, secure in the fortifications of art and nature, sustained a siege of almost three years, and the daring sallies of Odoacer carried slaughter and dismay into the Gothic camp. At length, destitute of provisions and hopeless of relief, that unfortunate monarch yielded to the groans of his subjects and the clamours of his soldiers. A treaty of peace was negotiated by the bishop of Ravenna; the Ostrogoths were admitted into the city; and the hostile kings consented, under the sanction of an oath, to rule with equal and undivided authority the provinces of Italy.† The event of such an agreement may be easily foreseen. After some days had been devoted to the semblance of joy and friendship, Odoacer, in the midst of a solemn banquet, was stabbed by the hand, or at least by the command, of his rival (A.D. 493). Theodoric thus became master of Italy, with the tardy, reluctant, ambiguous consent of the emperor of the East. His reputation reposes on the visible peace and prosperity of a reign of 33 years (A.D. 493–526), the unanimous esteem of his own times, and the memory of his wisdom and courage, his justice and humanity, which was deeply impressed on the minds of the Goths and Italians.

Partition of lands: separation of the Goths and Italians.

§ 5. The partition of the lands of Italy, of which Theodoric assigned the third part to his soldiers, is *honourably* arraigned as the sole injustice of his life.‡ And even this act may be fairly justified by the example of Odoacer, the rights of conquest, the true interest of the Italians, and the sacred duty of subsisting a

* At the river Sontius (Isonzo), at Verona, and at the river Addua (Adda).

† The words of Procopius (*Bellum Gothicum*, i. 1) are ἐφ' ᾧ Θευδέριχός τε καὶ Ὀδόακρος ἐν Ῥαβέννῃ ἐπὶ τῇ ἴσῃ καὶ ὁμοίᾳ ἕξουσι, which Ranke (*Weltgeschichte*, IV. i. 13) interprets to mean that Theodoric should be admitted to the town while Odoacer should remain there. The words, however, may perhaps bear the meaning given them in the text. In either case, it can only have been a provisional agreement that they record.

‡ The Visigoths and the Burgundians had made the Romanised provincials cede two-thirds of their lands, while the Vandals had annexed whole provinces to their own use. See Savigny, *Geschichte des Römischen Rechts im Mittelalter*, i. c. 5, § 89; Dahn, *Könige der Germanen*, iii. p. 2.

whole people, who, on the faith of his promises, had transported themselves into a distant land. Under the reign of Theodoric, and in the happy climate of Italy, the Goths soon multiplied to a formidable host of 200,000 men, and the whole amount of their families may be computed by the ordinary addition of women and children. Their invasion of property, a part of which must have been already vacant, was disguised by the generous but improper name of *hospitality*;* these unwelcome guests were irregularly dispersed over the face of Italy, and the lot of each barbarian was adequate to his birth and office, the number of his followers, and the rustic wealth which he possessed in slaves and cattle. The distinctions of noble and plebeian were acknowledged, but every freeman enjoyed the inestimable privilege of being subject only to the laws of his country. Fashion, and even convenience, soon persuaded the conquerors to assume the more elegant dress of the natives, but they still persisted in the use of their mother tongue; and their contempt for the Latin schools was applauded by Theodoric himself, who gratified their prejudices, or his own, by declaring that the child who had trembled at a rod would never dare to look upon a sword. Distress might sometimes provoke the indigent Roman to assume the ferocious manners which were insensibly relinquished by the rich and luxurious barbarian; but these mutual conversions were not encouraged by the policy of a monarch who perpetuated the separation of the Italians and Goths, reserving the former for the arts of peace, and the latter for the service of war. To accomplish this design, he studied to protect his industrious subjects, and to moderate the violence, without enervating the valour, of his soldiers, who were maintained for the public defence. They held their lands and benefices as a military stipend: at the sound of the trumpet they were prepared to march under the conduct of their provincial officers, and the whole extent of Italy was distributed into the several quarters of a well-regulated camp. A firm though gentle discipline imposed the habits of modesty, obedience, and temperance; and the Goths were instructed to spare the people, to reverence the laws, to understand the duties of civil society, and to disclaim the barbarous licence of judicial combat and private revenge.

Foreign policy of Theodoric.

§ 6. Among the barbarians of the West the victory of Theodoric had spread a general alarm. But as soon as it appeared that he was satisfied with conquest and desirous of peace, terror was changed into respect, and they submitted to a powerful mediation, which was uniformly employed for the best purposes of reconciling their quarrels and civilising their manners. The ambassadors who resorted to Ravenna from the most distant countries of Europe admired his wisdom, magnificence, and courtesy; and, if he sometimes accepted either slaves or arms,

* For this sense of *hospes* and *hospitalitas* see Savigny, *op. cit.* 1 c. 5, § 88; Dahn, *l.c.* It is also found in the Burgundian laws.

white horses or strange animals: the gift of a sun-dial, a water-clock, or a musician, admonished even the princes of Gaul of the superior art and industry of his Italian subjects. His domestic alliances, a wife, two daughters, a sister, and a niece, united the family of Theodoric with the kings of the Franks, the Burgundians, the Visigoths, the Vandals, and the Thuringians, and contributed to maintain the harmony, or at least the balance, of the great republic of the West.

The life of Theodoric represents the rare and meritorious example of a barbarian who sheathed his sword in the pride of victory and the vigour of his age. A reign of 33 years was consecrated to the duties of civil government, and the hostilities, in which he was sometimes involved, were speedily terminated by the conduct of his lieutenants, the discipline of his troops, the arms of his allies, and even by the terror of his name. He reduced, under a strong and regular government, the unprofitable countries of Rhætia, Noricum, Dalmatia, and Pannonia, from the source of the Danube and the territory of the Bavarians to the petty kingdom erected by the Gepidæ on the ruins of Sirmium. The greatness of a servant, who was named perfidious because he was successful, awakened the jealousy of the emperor Anastasius; and a war was kindled on the Dacian frontier, by the protection which the Gothic king, in the vicissitude of human affairs, had granted to one of the descendants of Attila. Sabinian, a general illustrious by his own and father's merit, advanced at the head of 10,000 Romans; and the provisions and arms, which filled a long train of waggons, were distributed to the fiercest of the Bulgarian tribes (A.D. 505). But in the fields of Margus the Eastern powers were defeated by the inferior forces of the Goths and Huns; and the flower and even the hope of the Roman armies was irretrievably destroyed. Exasperated by this disgrace, the Byzantine court despatched 200 ships and 8000 men to plunder the sea-coast of Calabria and Apulia: they assaulted the ancient city of Tarentum, interrupted the trade and agriculture of a happy country, and sailed back to the Hellespont, proud of their piratical victory over a people whom they still presumed to consider as their *Roman* brethren (A.D. 509). Their retreat was possibly hastened by the activity of Theodoric; Italy was covered by a fleet of 1000 light vessels, which he constructed with incredible despatch; and his firm moderation was soon rewarded by a solid and honourable peace. He maintained with a powerful hand the balance of the West, till it was at length overthrown by the ambition of Clovis; and, although unable to assist his rash and unfortunate kinsman, the king of the Visigoths, he saved the remains of his family and people, and checked the Franks in the midst of their victorious career. I am not desirous to prolong or repeat this narrative of military events, the least interesting of the reign of Theodoric, and shall be content to add that the Alemanni were protected, that an inroad of the Burgundians was severely chastised, and that the

conquest of Arles and Marseilles opened a free communication with the Visigoths, who revered him both as their national protector, and as the guardian of his grandchild, the infant son of Alaric. Under this respectable character the king of Italy restored the Prætorian præfecture of the Gauls, reformed some abuses in the civil government of Spain, and accepted the annual tribute and apparent submission of its military governor, who wisely refused to trust his person in the palace of Ravenna. The Gothic sovereignty was established from Sicily to the Danube, from Sirmium or Belgrade to the Atlantic Ocean; and the Greeks themselves have acknowledged that Theodoric reigned over the fairest portion of the Western empire.

Civil government of Italy.

§ 7. The union of the Goths and Romans might have fixed for ages the transient happiness of Italy; and the first of nations, a new people of free subjects and enlightened soldiers, might have gradually arisen from the mutual emulation of their respective virtues. But the sublime merit of guiding or seconding such a revolution was not reserved for the reign of Theodoric: he wanted either the genius or the opportunities of a legislator; and, while he indulged the Goths in the enjoyment of rude liberty, he servilely copied the institutions, and even the abuses, of the political system which had been framed by Constantine and his successors. From a tender regard to the expiring prejudices of Rome, the barbarian declined the name, the purple, and the diadem of the emperors; but he assumed, under the hereditary title of king, the whole substance and plenitude of Imperial prerogative.* His addresses to the Eastern throne were respectful and ambiguous: he celebrated in pompous style the harmony of the two republics, applauded his own government as the perfect similitude of a sole and undivided empire, and claimed above the kings of the earth the same pre-eminence which he modestly allowed to the person or rank of Anastasius. The alliance of the East and West was annually declared by the unanimous choice of two consuls; but it should seem that the Italian candidate, who was named by Theodoric, accepted a formal confirmation from the sovereign of Constantinople. The Gothic palace of Ravenna reflected the image of the court of Theodosius or Valentinian. The Prætorian præfect, the præfect of Rome, the quæstor, the master of the offices, with the public and patrimonial treasurers, whose functions are painted in gaudy colours by the rhetoric of Cassiodorus, still continued to act as the ministers of state. And the subordinate care of justice and the revenue was delegated to seven consulars, three correctors, and five presidents, who governed the fifteen

* It was also a tender regard to the prejudices of his own people that prevented a Gothic king from becoming a Roman emperor. The constitutional character of the Germanic kingdoms was quite inconsistent with the name of Imperial absolutism. Yet the absolutism of Theodoric was real enough (see Dahn, *Könige der Germanen*, iii. p. 276); it was only the form that was avoided. His title was *Rex Gothorum et Italorum*.

*regions* of Italy according to the principles, and even the forms, of Roman jurisprudence. The violence of the conquerors was abated or eluded by the slow artifice of judicial proceedings; the civil administration, with its honours and emoluments, was confined to the Italians; and the people still preserved their dress and language, their laws and customs, their personal freedom, and two-thirds of their landed property. It had been the object of Augustus to conceal the introduction of monarchy; it was the policy of Theodoric to disguise the reign of a barbarian. If his subjects were sometimes awakened from this pleasing vision of a Roman government, they derived more substantial comfort from the character of a Gothic prince who had penetration to discern, and firmness to pursue, his own and the public interest. Theodoric loved the virtues which he possessed, and the talents of which he was destitute. Liberius was promoted to the office of Prætorian præfect for his unshaken fidelity to the unfortunate cause of Odoacer. The ministers of Theodoric, Cassiodorus and Boëthius, have reflected on his reign the lustre of their genius and learning. More prudent or more fortunate than his colleague, Cassiodorus preserved his own esteem without forfeiting the royal favour; and, after passing 30 years in the honours of the world, he was blessed with an equal term of repose in the devout and studious solitude of Squillace.

Prosperity of Rome: visit of Theodoric.

§ 8. As the patron of the republic, it was the interest and duty of the Gothic king to cultivate the affections of the senate and people. The nobles of Rome were flattered by sonorous epithets and formal professions of respect, which had been more justly applied to the merit and authority of their ancestors. The people enjoyed, without fear or danger, the three blessings of a capital, order, plenty, and public amusements. The public games exhibited a faint and feeble copy of the magnificence of the Cæsars: yet the musical, the gymnastic, and the pantomime arts, had not totally sunk in oblivion; the wild beasts of Africa still exercised in the amphitheatre the courage and dexterity of the hunters; and the indulgent Goth either patiently tolerated or gently restrained the blue and green factions, whose contests so often filled the circus with clamour, and even with blood. In the seventh year of his peaceful reign (A.D. 500), Theodoric visited the old capital of the world; the senate and people advanced in solemn procession to salute a second Trajan, a new Valentinian; and he nobly supported that character, by the assurance of a just and legal government, in a discourse which he was not afraid to pronounce in public, and to inscribe on a tablet of brass. Rome, in this august ceremony, shot a last ray of declining glory. During a residence of six months, the fame, the person, and the courteous demeanour of the Gothic king, excited the admiration of the Romans, and he contemplated, with equal curiosity and surprise, the monuments that remained of their ancient greatness. He imprinted the footsteps of a

conqueror on the Capitoline hill, and frankly confessed that each day he viewed with fresh wonder the forum of Trajan and his lofty column. The theatre of Pompey appeared, even in its decay, as a huge mountain artificially hollowed and polished, and adorned by human industry; and he vaguely computed that a river of gold must have been drained to erect the colossal amphitheatre of Titus. From the mouths of fourteen aqueducts a pure and copious stream was diffused into every part of the city. The long and spacious vaults which had been constructed for the purpose of common sewers subsisted after twelve centuries in their pristine strength; and these subterraneous channels have been preferred to all the visible wonders of Rome. The Gothic kings, so injuriously accused of the ruin of antiquity, were anxious to preserve the monuments of the nation whom they had subdued. The royal edicts were framed to prevent the abuses, the neglect, or the depredations of the citizens themselves; and a professed architect, the annual sum of two hundred pounds of gold, twenty-five thousand tiles, and the receipt of customs from the Lucrine port, were assigned for the ordinary repairs of the walls and public edifices. A similar care was extended to the statues of metal or marble, of men or animals. The spirit of the horses which have given a modern name to the Quirinal* was applauded by the barbarians; the brazen elephants of the *Via sacra* were diligently restored; the famous heifer of Myron deceived the cattle, as they were driven through the forum of Peace; and an officer was created to protect those works of art, which Theodoric considered as the noblest ornament of his kingdom.

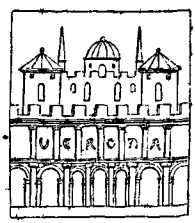
Flourishing state of Italy.

§ 9. After the example of the last emperors, Theodoric preferred the residence of Ravenna. As often as the peace of his kingdom was threatened (for it was never invaded) by the barbarians, he removed his court to Verona† on the northern frontier, and the image of his palace at this place is still extant on a seal. These two capitals, as well as Pavia, Spoleto, Naples, and the rest of the Italian cities, acquired under his reign the useful or splendid decorations of churches, aqueducts, baths, porticoes, and palaces. But the happiness of the subject was more truly conspicuous in the busy scene of labour and luxury, in the rapid increase and bold enjoyment of national wealth. From the shades of Tibur and Prænestе, the Roman senators still retired in the winter season to the warm sun and salubrious springs of Baiæ; and their villas, which advanced on solid moles into the bay of Naples, commanded the various prospect of the sky, the earth, and the water. On the eastern side of the Adriatic a new Campania was formed in the fair and fruitful province of Istria, which communicated with the palace of Ravenna by an easy navigation of 100 miles. The rich productions of

* Monte Cavallo.

† Theodoric of Verona, under the name of Dietrich of Bern, is celebrated in the legendary poetry of the Germans.

Lucania and the adjacent provinces were exchanged at the Marcilian fountain, in a populous fair annually dedicated to trade, intemperance, and superstition. Agriculture revived under the shadow of peace, and the number of husbandmen was multiplied by the redemption of captives. The iron-mines of Dalmatia, a gold-mine in Bruttium, were carefully explored, and the Pontine marshes, as well as those of Spoleto, were drained and cultivated by private undertakers, whose distant reward must depend on the continuance of the public prosperity. Whenever the seasons were less propitious, the doubtful precautions of forming magazines of corn, fixing the price, and prohibiting the exportation, attested at least the benevolence of the state; but such was the extraordinary plenty which an industrious people produced from a grateful soil, that a gallon of wine was sometimes sold in Italy for less than three farthings, and a quarter of wheat at about five shillings and sixpence. A country possessed of so many valuable objects of exchange soon attracted the merchants of the world, whose beneficial traffic was encouraged and protected by the liberal spirit of Theodoric. The free intercourse of the provinces by land and water was restored and extended; the city gates were never shut either by day or by night; and the common saying, that a purse of gold might be safely left in the fields, was expressive of the conscious security of the inhabitants.



Palace of Theodoric at Verona. (From a seal.)

§ 10. A difference of religion is always pernicious and often fatal to the harmony of the prince and people: the Gothic conqueror had been educated in the profession of Arianism, and Italy was devoutly attached to the Nicene faith. But the persuasion of Theodoric was not infected by zeal; and, satisfied with the private toleration of his Arian sectaries, he allowed the Catholics to continue in possession of the power and emoluments of the church. With the protection, Theodoric assumed the legal supremacy, of the church; and his firm administration restored or extended some useful prerogatives which had been neglected by the feeble emperors of the West. He was not ignorant of the dignity and importance of the Roman pontiff, to whom the venerable name of POPE was now appropriated. When the chair of St. Peter was disputed by Symmachus and Laurence, they appeared at his summons before the tribunal of an Arian monarch, and he confirmed the election of the most worthy or the most obsequious candidate. Ecclesiastical government.

§ 11. I have descanted with pleasure on the fortunate condition of Italy, but our fancy must not hastily conceive that the golden age of the poets, a race of men without vice or misery, was realised under the Gothic conquest. The fair prospect was Vices of the government of Theodoric.

sometimes overcast with clouds; the wisdom of Theodoric might be deceived, his power might be resisted, and the declining age of the monarch was sullied with popular hatred and patrician blood. Two hundred thousand barbarians, formidable even to their master, were seated in the heart of Italy; they indignantly supported the restraints of peace and discipline; the disorders of their march were always felt and sometimes compensated; and where it was dangerous to punish, it might be prudent to dissemble, the sallies of their native fierceness.

Even the religious toleration which Theodoric had the glory of introducing into the Christian world was painful and offensive to the orthodox zeal of the Italians. They respected the armed heresy of the Goths; but their pious rage was safely pointed against the rich and defenceless Jews, who had formed their establishments at Naples, Rome, Ravenna, Milan, and Genoa, for the benefit of trade, and under the sanction of the laws. Their persons were insulted, their effects were pillaged, and their synagogues were burnt by the mad populace of Ravenna and Rome, inflamed, as it should seem, by the most frivolous or extravagant pretences. The government which could neglect, would have deserved such an outrage. A legal inquiry was instantly directed; and, as the authors of the tumult had escaped in the crowd, the whole community was condemned to repair the damage, and the obstinate bigots, who refused their contributions, were whipped through the streets by the hand of the executioner. This simple act of justice exasperated the discontent of the catholics, who applauded the merit and patience of these holy confessors. At the close of a glorious life, the king of Italy discovered that he had excited the hatred of a people whose happiness he had so assiduously laboured to promote; and his mind was soured by indignation, jealousy, and the bitterness of unrequited love. The Gothic emperor condescended to disarm the unwarlike natives of Italy, interdicting all weapons of offence, and excepting only a small knife for domestic use. The deliverer of Rome was accused of conspiring with the vilest informers against the lives of senators whom he suspected of a secret and treasonable correspondence with the Byzantine court.* After the death of Anastasius, the diadem had been placed on the head of a feeble old man, but the powers of government were assumed by his nephew Justinian, who already meditated the extirpation of heresy and the conquest of Italy and Africa. A rigorous law, which was published at Constantinople, to reduce the Arians, by the dread of punishment, within the pale of the church, awakened the just resentment of Theodoric, who claimed for his distressed brethren of the East the same indulgence

* The good relations of Theodoric with the Catholic church in Italy had been due to the strained relations of that church with the Eastern patriarchs during the reign of Anastasius. With the re-establishment of a stricter orthodoxy at Constantinople, a *rapprochement* between the two churches naturally ensued, to the detriment of the Arian occupier of Italy.

which he had so long granted to the catholics of his dominions. At his stern command the Roman pontiff, with four *illustrious* senators, embarked on an embassy of which he must have alike dreaded the failure or the success. The singular veneration shown to the first pope who had visited Constantinople was punished as a crime by his jealous monarch; the artful or peremptory refusal of the Byzantine court might excuse an equal, and would provoke a larger, measure of retaliation; and a mandate was prepared in Italy to prohibit, after a stated day, the exercise of the catholic worship. By the bigotry of his subjects and enemies the most tolerant of princes was driven to the brink of persecution, and the life of Theodoric was too long, since he lived to condemn the virtue of Boëthius and Symmachus.

Character, studies, and honours of Boëthius.

§ 12. The senator Boëthius is the last of the Romans whom Cato or Tully could have acknowledged for their countrymen. As a wealthy orphan, he inherited the patrimony and honours of the Anician family, a name ambitiously assumed by the kings and emperors of the age, and the appellation of Manlius asserted his genuine or fabulous descent from a race of consuls and dictators who had repulsed the Gauls from the Capitol, and sacrificed their sons to the discipline of the republic.* In the youth of Boëthius the studies of Rome were not totally abandoned; a Virgil is now extant corrected by the hand of a consul;† and the professors of grammar, rhetoric, and jurisprudence were maintained in their privileges and pensions by the liberality of the Goths. But the erudition of the Latin language was insufficient to satiate his ardent curiosity; he studied deeply the writings of the Greek philosophers; and he imbibed the spirit and imitated the method, of his dead and living masters, who attempted to reconcile the strong and subtle sense of Aristotle with the devout contemplation and sublime fancy of Plato. For the benefit of his Latin readers, his genius submitted to teach the first elements of the arts and sciences of Greece. The geometry of Euclid, the music of Pythagoras, the arithmetic of Nicomachus, the mechanics of Archimedes, the astronomy of Ptolemy, the theology of Plato, and the logic of Aristotle, with the commentary of Porphyry, were translated and illustrated by the indefatigable pen of the Roman senator. And he alone was esteemed capable of describing the wonders of art, a sun-dial, a water-clock, or a sphere which represented the motions of the planets. From these abstruse speculations Boëthius stooped—or, to speak more truly, he rose—to the social duties of public and private life; the indigent were relieved by his liberality; and his eloquence, which flattery might compare to the voice of Demosthenes or Cicero, was uniformly exerted in the cause of innocence and humanity. Such conspicuous merit was felt and rewarded by a discerning prince: the dignity of Boëthius was adorned with the titles of consul and patrician, and his

* His full name was Manlius Anicius Severinus Boëthius.

† The Medicean MS. at Florence.

talents were usefully employed in the important station of master of the offices. Notwithstanding the equal claims of the East and West, his two sons were created, in their tender youth, the consuls of the same year. Prosperous in his fame and fortunes, in his public honours and private alliances, in the cultivation of science and the consciousness of virtue, Boëthius might have been styled happy, if that precarious epithet could be safely applied before the last term of the life of man.

He is accused of treason.

§ 13. A philosopher, liberal of his wealth and parsimonious of his time, might be insensible to the common allurements of ambition, the thirst of gold and employment. And some credit may be due to the asseveration of Boëthius, that he had reluctantly obeyed the divine Plato, who enjoins every virtuous citizen to rescue the state from the usurpation of vice and ignorance. For the integrity of his public conduct he appeals to the memory of his country. He had always pitied, and often relieved, the distress of the provincials, whose fortunes were exhausted by public and private rapine; and Boëthius alone had courage to oppose the tyranny of the barbarians, elated by conquest, excited by avarice, and, as he complains, encouraged by impunity. In these honourable contests his spirit soared above the consideration of danger, and perhaps of prudence; and we may learn from the example of Cato that a character of pure and inflexible virtue is the most apt to be misled by prejudice, to be heated by enthusiasm, and to confound private enmities with public justice. The favour and fidelity of Boëthius declined in just proportion with the public happiness, and an unworthy colleague was imposed to divide and control the power of the master of the offices. In the last gloomy season of Theodoric he indignantly felt that he was a slave; but, as his master had only power over his life, he stood, without arms and without fear, against the face of an angry barbarian, who had been provoked to believe that the safety of the senate was incompatible with his own. The senator Albinus was accused and already convicted on the presumption of *hoping*, as it was said, the liberty of Rome. "If Albinus be criminal," exclaimed the orator, "the senate and myself are all guilty of the same crime. If we are innocent, Albinus is equally entitled to the protection of the laws." These laws might not have punished the simple and barren wish of an unattainable blessing; but they would have shown less indulgence to the rash confession of Boëthius, that, had he known of a conspiracy, the tyrant never should. The advocate of Albinus was soon involved in the danger and perhaps the guilt of his client; their signature (which they denied as a forgery) was affixed to the original address inviting the emperor to deliver Italy from the Goths; and three witnesses of honourable rank, perhaps of infamous reputation, attested the treasonable designs of the Roman patrician. Yet his innocence must be presumed, since he was deprived by Theodoric of the means of justification, and rigorously confined in the tower of Pavia, while the senate,

at the distance of 500 miles, pronounced a sentence of confiscation and death against the most illustrious of its members. At the command of the barbarians, the occult science of a philosopher was stigmatised with the names of sacrilege and magic. A devout and dutiful attachment to the senate was condemned as criminal by the trembling voices of the senators themselves; and their ingratitude deserved the wish or prediction of Boëthius, that, after him, none should be found guilty of the same offence.

Death of Boëthius and Symmachus.

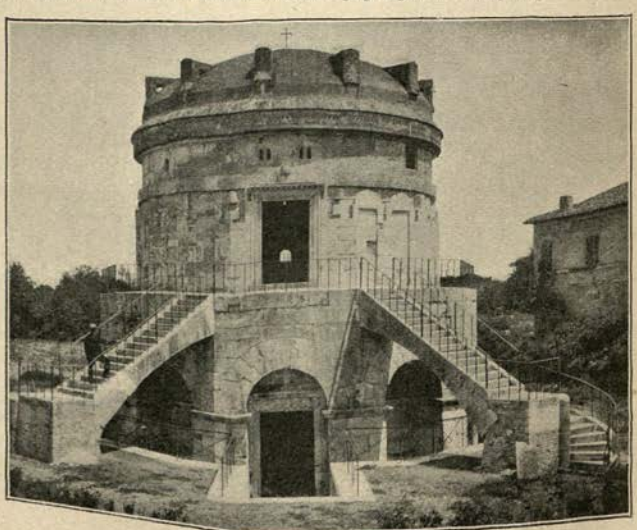
§ 14. While Boëthius, oppressed with fetters, expected each moment the sentence or the stroke of death, he composed in the tower of Pavia the *Consolation of Philosophy;* a golden volume not unworthy of the leisure of Plato or Tully, but which claims incomparable merit from the barbarism of the times and the situation of the author. The celestial guide whom he had so long invoked now condescended to illumine his dungeon, to revive his courage, and to pour into his wounds her salutary balm. Suspense, the worst of evils, was at length determined by the ministers of death, who executed, and perhaps exceeded, the inhuman mandate of Theodoric. A strong cord was fastened round the head of Boëthius, and forcibly tightened till his eyes almost started from their sockets; and some mercy may be discovered in the milder torture of beating him with clubs till he expired (A.D. 524). But his genius survived to diffuse a ray of knowledge over the darkest ages of the Latin world; the writings of the philosopher were translated by the most glorious of the English kings, and the third emperor of the name of Otho removed to a more honourable tomb the bones of a catholic saint who, from his Arian persecutors, had acquired the honours of martyrdom and the fame of miracles. In the last hours of Boëthius he derived some comfort from the safety of his two sons, of his wife, and of his father-in-law, the venerable Symmachus. But the grief of Symmachus was indiscreet, perhaps disrespectful: he had presumed to lament, he might dare to revenge, the death of an injured friend. He was dragged in chains from Rome to the palace of Ravenna, and the suspicions of Theodoric could only be appeased by the blood of an innocent and aged senator (A.D. 525).

Death of Theodoric.

§ 15. Humanity will be disposed to encourage any report which testifies the jurisdiction of conscience and the remorse of kings. After a life of virtue and glory, Theodoric was now descending with shame and guilt into the grave: his mind was humbled by the contrast of the past, and justly alarmed by the invisible terrors of futurity. One evening, as it is related, when the head of a large fish was served on the royal table, he suddenly exclaimed that he beheld the angry countenance of Symmachus, his eyes glaring fury and revenge, and his mouth armed with long sharp teeth, which threatened to devour him. The monarch instantly retired to his chamber, and, as he lay trembling with aguish cold under a weight of bed-clothes, he expressed in broken murmurs to his physician Elpidius his deep repentance for the

murders of Boëthius and Symmachus. His malady increased, and, after a dysentery which continued three days, he expired in the palace of Ravenna, in the 33rd, or, if we compute from the invasion of Italy, in the 37th year of his reign (A.D. 526). Conscious of his approaching end, he divided his treasures and provinces between his two grandsons, and fixed the Rhône as their common boundary. Amalaric was restored to the throne of Spain. Italy, with all the conquests of the Ostrogoths, was bequeathed to Athalaric, whose age did not exceed ten years, but who was cherished as the last male offspring of the line of Amali, by the short-lived marriage of his mother Amalasuntha with a royal fugitive of the same blood. The monument of Theodoric was erected by his daughter Amalasuntha in a conspicuous situation, which commanded the city of Ravenna, the harbour, and the adjacent coast. A chapel of a circular form, 30 feet in diameter, is crowned by a dome of one entire piece of granite: from the centre of the dome four columns arose, which supported in a vase of porphyry the remains of the Gothic king, surrounded by the brazen statues of the twelve apostles.

[Hodgkin, *Italy and her Invaders*, bk. iv. cc. 1–12; *Theodoric the Goth*; Bury, *Later Roman Empire*, bk. iii. cc. 3 and 5; Ranke, *Weltgeschichte*, IV. i. cc. 13 and 14; Finlay, *History of Greece*, ch. ii. § 11. On the organisation of the kingdom of Theodoric, Dahn, *Könige der Germanen*, III.; Bethmann-Hollweg, *Civilprozess des Gemeinen Rechts*, iv. 4, p. 248, ff.; Mommsen, *Ostgothische Studien* in Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde, Bd. XIV. (1888-1889). Savigny, *Geschichte des römischen Rechts im Mittelalter*, i. c. 5, § 103; ii. c. 11, § 60.]



Tomb of Theodoric.

Justinian. From a Mosaic. See p. 339.

## CHAPTER XX.

### REIGN OF JUSTINIAN.—INTERNAL HISTORY.

§ 1. Elevation of JUSTIN: adoption and succession of JUSTINIAN. § 2. Character and histories of Procopius: division of the reign of Justinian. § 3. History and elevation of the Empress Theodora. § 4. The factions of the Circus. § 5. They distract Constantinople and the East. § 6. The "Nika" riots at Constantinople. § 7. Introduction of silk-worms into Greece. § 8. Avarice and profusion of Justinian and John of Cappadocia. § 9. Edifices of Justinian: Church of St. Sophia. § 10. Fortifications of Justinian. § 11. The Persian war in the reign of Anastasius: fortification of Dara. § 12. Justinian suppresses the schools of Athens. § 13. And the Roman consulship.

Elevation of JUSTIN: adoption and succession of JUSTINIAN.

§ 1. THE emperor Justinian was born near the ruins of Sardica (the modern Sophia) in A.D. 482 or 483, of an obscure race of barbarians, the inhabitants of a wild and desolate country, to which the names of Dardania, of Dacia, and of Bulgaria, have been successively applied. His elevation was prepared by the adventurous spirit of his uncle Justin, who, with two other peasants of the same village, deserted for the profession of arms the more useful employment of husbandmen or shepherds. On foot, with a scanty provision of biscuit in their knapsacks, the three youths followed the high road of Constantinople, and were soon enrolled, for their strength and stature, among the guards of the emperor Leo. Under the two succeeding reigns, Justin emerged to wealth and honours; and on the death of Anastasius the Dacian peasant was invested with the purple by the unanimous consent of the soldiers (A.D. 518). The elder Justin, as he is distinguished from another emperor of the same family and

name, ascended the Byzantine throne at the age of 68 years. After a reign of nine he adopted as his colleague his nephew Justinian, whom his uncle had drawn from the rustic solitude of Dacia, and educated at Constantinople as the heir of his fortune and the empire. Justin lived about four months after the diadem had been placed on the head of his nephew; but from the instant of this ceremony he was considered as dead to the empire, which acknowledged Justinian, in the 45th year of his age, for the lawful sovereign of the East.

Character and histories of Procopius: division of the reign of Justinian.

§ 2. From his elevation to his death, Justinian governed the Roman empire 38 years, 7 months, and 13 days (A.D. 527, April 1—A.D. 565, Nov. 14). The events of his reign, which excite our curious attention by their number, variety, and importance, are diligently related by Procopius, the secretary of Belisarius, a rhetorician, whom eloquence had promoted to the rank of senator and præfect of Constantinople. According to the vicissitudes of courage or servitude, of favour or disgrace, Procopius successively composed the *history*, the *panegyric*, and the *satire* of his own times. The eight books of the Persian, Vandalic, and Gothic wars, which are continued in the five books of Agathias, deserve our esteem as a laborious and successful imitation of the Attic, or at least of the Asiatic, writers of ancient Greece. The writings of Procopius were read and applauded by his contemporaries: but, although he respectfully laid them at the foot of the throne, the pride of Justinian must have been wounded by the praise of an hero who perpetually eclipses the glory of his inactive sovereign. The conscious dignity of independence was subdued by the hopes and fears of a slave; and the secretary of Belisarius laboured for pardon and reward in the six books of the Imperial *Edifices*. He had dexterously chosen a subject of apparent splendour, in which he could loudly celebrate the genius, the magnificence, and the piety of a prince who, both as a conqueror and legislator, had surpassed the puerile virtues of Themistocles and Cyrus. Disappointment might urge the flatterer to secret revenge; and the first glance of favour might again tempt him to suspend and suppress a libel in which the Roman Cyrus is degraded into an odious and contemptible tyrant, in which both the emperor and his consort Theodora are seriously represented as two dæmons who had assumed an human form for the destruction of mankind. Such base inconsistency must doubtless sully the reputation, and detract from the credit, of Procopius: yet, after the venom of his malignity has been suffered to exhale, the residue of the *Anecdotes*, even the most disgraceful facts, some of which had been tenderly hinted in his public history, are established by their internal evidence, or the authentic monuments of the times.* From these various materials I shall now proceed to

* There have always been serious doubts both as to the authenticity and the credibility of the *Anecdota*, or Secret History (*Historia Arcana*), of Procopius. Suidas (perhaps of the tenth century, A.D.) unhesitatingly

describe the reign of Justinian, which will deserve and occupy an ample space. The present chapter will explain the elevation of Theodora, the factions of the circus, and the peaceful administration of the sovereign of the East. In the two next chapters I shall relate the wars of Justinian, which achieved the conquest of Africa and Italy; and I shall follow the victories of Belisarius and Narses, without disguising the vanity of their triumphs, or the hostile virtue of the Persian and Gothic heroes. The following chapter will embrace the jurisprudence of the emperor, and the reformation of the Roman law, which is obeyed or respected by the nations of modern Europe.

History and elevation of the Empress Theodora.

§ 3. In the exercise of supreme power, the first act of Justinian was to divide it with the woman whom he loved, the famous Theodora, whose strange elevation cannot be applauded as the triumph of female virtue. She was the daughter of Acacius, to whom the care of the wild beasts maintained by the green faction at Constantinople was intrusted. This honourable office was given after his death to another candidate, notwithstanding the diligence of his widow, who had already provided a husband and a successor. Acacius had left three daughters, Comito, THEODORA, and Anastasia, the eldest of whom did not then exceed the age of seven years. On a solemn festival, these helpless orphans were sent by their distressed and indignant mother, in the garb of suppliants, into the midst of the theatre: the green faction received them with contempt, the blues with compassion; and this difference, which sunk deep into the mind of Theodora, was felt long afterwards in the administration of the empire. As they improved in age and beauty, the three sisters were successively devoted to the pleasures of the Byzantine people; and Theodora, after following Comito on the stage, in the dress of a slave, with a stool on her head, was at length permitted to exercise her independent talents. She neither danced, nor sung, nor played on the flute; her skill was confined to the pantomime arts; she excelled in buffoon characters; and as often as the comedian swelled her cheeks, and complained with a ridiculous tone and gesture of the blows that were inflicted, the whole theatre of Constantinople resounded with laughter and applause. The beauty of Theodora was celebrated in every part of the Eastern empire, and attracted numerous admirers, to whom she readily sold her charms. After leading a most licentious life for several years, she at length captivated and fixed Justinian, who already reigned with absolute sway under the

attributes the work to Procopius, and is followed by Montesquieu as by Gibbon. Ranke (*Weltgeschichte*, iv. p. 300, ff.) points out inconsistencies with the other works of Procopius, and shows that the book was never written as a whole, but is a compilation of materials: these materials coming from a source contemporary with Justinian. A similar conclusion is reached by Bury (*Later Roman Empire*, bk. iv. c. 3). C. E. Mallet (*The Empress Theodora*, in *English Historical Review*, No. V., Jan., 1887) gives reasons for doubting the credibility of the work, although he does not question its attribution to Procopius.

name of his uncle. Justinian delighted to ennoble and enrich the object of his affection: the treasures of the East were poured at her feet, and the nephew of Justin was determined, perhaps by religious scruples, to bestow on his concubine the sacred and legal character of a wife. But the laws of Rome expressly prohibited the marriage of a senator with any female who had been dishonoured by a servile origin or theatrical profession:* the empress Lupicina or Euphemia, a barbarian of rustic manners, but of irreproachable virtue, refused to accept a prostitute for her niece; and even Vigilantia, the superstitious mother of Justinian, though she acknowledged the wit and beauty of Theodora, was seriously apprehensive lest the levity and arrogance of that artful paramour might corrupt the piety and happiness of her son. These obstacles were removed by the inflexible constancy of Justinian. He patiently expected the death of the empress; he despised the tears of his mother, who soon sunk under the weight of her affliction; and a law was promulgated which permitted actresses to contract a legal union with the most illustrious of the Romans.† This indulgence was speedily followed by the solemn nuptials of Justinian and Theodora; her dignity was gradually exalted with that of her lover; and, as soon as Justin had invested his nephew with the purple, the patriarch of Constantinople placed the diadem on the heads of the emperor and empress of the East. But the usual honours which the severity of Roman manners had allowed to the wives of princes could not satisfy either the ambition of Theodora or the fondness of Justinian. He seated her on the throne as an equal and independent colleague in the sovereignty of the empire, and an oath of allegiance was imposed on the governors of the provinces in the joint names of Justinian and Theodora. The wishes and prayers of Theodora could never obtain the blessing of a lawful son, and she buried an infant daughter, the sole offspring of her marriage. Notwithstanding this disappointment, her dominion was permanent and absolute; and she preserved, by art or merit, the affections of Justinian till her death in the 24th year of her marriage, and the 22nd of her reign (A.D. 548).

The factions of the Circus.

§ 4. A material difference may be observed in the games of antiquity: the most eminent of the Greeks were actors, the Romans were merely spectators. The Olympic stadium was open to wealth, merit, and ambition; and if the candidates could depend on their personal skill and activity, they might pursue the footsteps of Diomede and Menelaus, and conduct

* By the *Lex Julia et Papia Poppæa*, passed in the reign of Augustus; the prohibition was renewed in a constitution of Valentinian III. and Marcian, drawn up in A.D. 454 (Codex Justinianus, 5, 5, 7).

† The law appears as Justinian's own (Cod. Just., 1, 4. 33, A.D. 534, and 5, 4, 29). The enactment was retrospective, but an Imperial rescript, gained from the emperor Justin, could have given Justinian the desired permission.

their own horses in the rapid career. But a senator, or even a citizen, conscious of his dignity, would have blushed to expose his person or his horses in the circus of Rome. The games were exhibited at the expense of the republic, the magistrates, or the emperors; but the reins were abandoned to servile hands. The race, in its first institution, was a simple contest of two chariots, whose drivers were distinguished by *white* and *red* liveries: two additional colours, a light *green* and a cærulean *blue*, were afterwards introduced; and, as the races were repeated twenty-five times, one hundred chariots contributed in the same day to the pomp of the circus. The four *factions* soon acquired a legal establishment and a mysterious origin, and their fanciful colours were derived from the various appearances of nature in the four seasons of the year; the red dog-star of summer, the snows of winter, the deep shades of autumn, and the cheerful verdure of the spring. Another interpretation preferred the elements to the seasons, and the struggle of the green and blue was supposed to represent the conflict of the earth and sea. Their respective victories announced either a plentiful harvest or a prosperous navigation, and the hostility of the husbandmen and mariners was somewhat less absurd than the blind ardour of the Roman people, who devoted their lives and fortunes to the colour which they had espoused. Such folly was disdained and indulged by the wisest princes; but the names of Caligula, Nero, Vitellius, Verus, Commodus, Caracalla, and Elagabalus, were enrolled in the blue or green factions of the circus: they frequented their stables, applauded their favourites, chastised their antagonists, and deserved the esteem of the populace by the natural or affected imitation of their manners. The bloody and tumultuous contest continued to disturb the public festivity till the last age of the spectacles of Rome; and Theodoric, from a motive of justice or affection, interposed his authority to protect the greens against the violence of a consul and a patrician who were passionately addicted to the blue faction of the circus.

They distract Constantinople and the East.

§ 5. Constantinople adopted the follies, though not the virtues, of ancient Rome; and the same factions which had agitated the circus raged with redoubled fury in the hippodrome. Under the reign of Anastasius, this popular frenzy was inflamed by religious zeal; and the greens, who had treacherously concealed stones and daggers under baskets of fruit, massacred at a solemn festival 3000 of their blue adversaries. From the capital this pestilence was diffused into the provinces and cities of the East, and the sportive distinction of two colours produced two strong and irreconcileable factions, which shook the foundations of a feeble government. The licence, without the freedom, of democracy, was revived at Antioch and Constantinople, and the support of a faction became necessary to every candidate for civil or ecclesiastical honours. A secret attachment to the family or sect of Anastasius was imputed to the greens; the

blues were zealously devoted to the cause of orthodoxy and Justinian, and their grateful patron protected, above five years, the disorders of a faction whose seasonable tumults overawed the palace, the senate, and the capitals of the East. Insolent with royal favour, the blues affected to strike terror by a peculiar and barbaric dress—the long hair of the Huns, their close sleeves and ample garments, a lofty step and a sonorous voice. In the day they concealed their two-edged poniards, but in the night they boldy assembled in arms and in numerous bands, prepared for every act of violence and rapine. The despair of the greens, who were persecuted by their enemies and deserted by the magistrate, assumed the privilege of defence, perhaps of retaliation; but those who survived the combat were dragged to execution, and the unhappy fugitives, escaping to woods and caverns, preyed without mercy on the society from whence they were expelled. Although the first edict of Justinian, which was often repeated and sometimes executed, announced his firm resolution to support the innocent, and to chastise the guilty, of every denomination and *colour*, yet the balance of justice was still inclined in favour of the blue faction, by the secret affection, the habits, and the fears of the emperor: his equity, after an apparent struggle, submitted without reluctance to the implacable passions of Theodora, and the empress never forgot or forgave the injuries of the comedian.

The "Nika" riots at Constantinople.

§ 6. A sedition, which almost laid Constantinople in ashes, was excited by the mutual hatred and momentary reconciliation of the two factions. In the fifth year of his reign (A.D. 532) Justinian celebrated the festival of the ides of January: the games were incessantly disturbed by the clamorous discontent of the greens; till at length the blues rose with fury from their seats, their hostile clamours thundered in the hippodrome, and their adversaries, deserting the unequal contest, spread terror and despair through the streets of Constantinople. At this dangerous moment, seven notorious assassins of both factions, who had been condemned by the præfect, were carried round the city, and afterwards transported to the place of execution in the suburb of Pera. Four were immediately beheaded; a fifth was hanged; but, when the same punishment was inflicted on the remaining two, the rope broke, they fell alive to the ground, the populace applauded their escape, and the monks of St. Conon, issuing from the neighbouring convent, conveyed them in a boat to the sanctuary of the church. As one of these criminals was of the blue, and the other of the green, livery, the two factions were equally provoked by the cruelty of their oppressor or the ingratitude of their patron, and a short truce was concluded till they had delivered their prisoners and satisfied their revenge. The palace of the præfect, who withstood the seditious torrent, was instantly burnt, his officers and guards were massacred, the prisons were forced open, and freedom was restored to those who could only use it for the public

destruction. A military force which had been despatched to the aid of the civil magistrate was fiercely encountered by an armed multitude, whose numbers and boldness continually increased: and the Heruli, the wildest barbarians in the service of the empire, overturned the priests and their relics, which, from a pious motive, had been rashly interposed to separate the bloody conflict. The tumult was exasperated by this sacrilege; the people fought with enthusiasm in the cause of God; the women, from the roofs and windows, showered stones on the heads of the soldiers, who darted firebrands against the houses; and the various flames, which had been kindled by the hands of citizens and strangers, spread without control over the face of the city. The conflagration involved the cathedral of St. Sophia, the baths of Zeuxippus, and many public and private buildings. From such scenes of horror the wise and wealthy citizens escaped over the Bosporus to the Asiatic side, and during five days Constantinople was abandoned to the factions, whose watchword, NIKA, *vanquish!* has given a name to this memorable sedition.

As long as the factions were divided, the triumphant blues and desponding greens appeared to behold with the same indifference the disorders of the state. They agreed to censure the corrupt management of justice and the finance; and the two responsible ministers, the artful Tribonian and the rapacious John of Cappadocia, were loudly arraigned as the authors of the public misery. The peaceful murmurs of the people would have been disregarded: they were heard with respect when the city was in flames; the quæstor and the præfect were instantly removed, and their offices were filled by two senators of blameless integrity. After this popular concession Justinian proceeded to the hippodrome to confess his own errors, and to accept the repentance of his grateful subjects; but they distrusted his assurances, though solemnly pronounced in the presence of the holy gospels; and the emperor, alarmed by their distrust, retreated with precipitation to the strong fortress of the palace. On the morning of the sixth day Hypatius, a nephew of the emperor Anastasius, was proclaimed emperor by the people; and if the usurper had complied with the advice of his senate, and urged the fury of the multitude, their first irresistible effort might have oppressed or expelled his trembling competitor. The Byzantine palace enjoyed a free communication with the sea, vessels lay ready at the garden stairs, and a secret resolution was already formed to convey the emperor with his family and treasures to a safe retreat at some distance from the capital. In the midst of a council where Belisarius was present, Theodora alone displayed the spirit of an hero, and persuaded the emperor to remain. The firmness of a woman restored the courage to deliberate and act, and courage soon discovers the resources of the most desperate situation. It was an easy and a decisive measure to revive the animosity of the factions; the blues were astonished at their own guilt and folly, that a trifling injury

should provoke them to conspire with their implacable enemies against a gracious and liberal benefactor; they again proclaimed the majesty of Justinian; and the greens, with their upstart emperor, were left alone in the hippodrome. The fidelity of the guards was doubtful; but the military force of Justinian consisted in three thousand veterans, who had been trained to valour and discipline in the Persian and Illyrian wars. Under the command of Belisarius and Mundus, they silently marched in two divisions from the palace, forced their obscure way through narrow passages, expiring flames, and falling edifices, and burst open at the same moment the two opposite gates of the hippodrome. In this narrow space the disorderly and affrighted crowd was incapable of resisting on either side a firm and regular attack; the blues signalised the fury of their repentance, and it is computed that above 30,000 persons were slain in the merciless and promiscuous carnage of the day. Hypatius was dragged from his throne, and conducted with his brother Pompeius to the feet of the emperor; they implored his clemency, but their crime was manifest, their innocence uncertain, and Justinian had been too much terrified to forgive. The next morning the two nephews of Anastasius, with eighteen *illustrious* accomplices, of patrician or consular rank, were privately executed by the soldiers, their bodies were thrown into the sea, their palaces razed, and their fortunes confiscated. The hippodrome itself was condemned, during several years, to a mournful silence; with the restoration of the games the same disorders revived, and the blue and green factions continued to afflict the reign of Justinian, and to disturb the tranquillity of the Eastern empire.

Introduction of silk-worms into Greece.

§ 7. Among many other memorable events which signalised the reign of Justinian, the introduction of the silkworm into Greece is one of not the least importance. I need not explain that *silk* is originally spun from the bowels of a caterpillar, and that it composes the golden tomb from whence a worm emerges in the form of a butterfly. Till the reign of Justinian the silkworm was confined to China. In the reign of Aurelian a pound of silk was sold at Rome for twelve ounces of gold; but the supply increased with the demand, and the price diminished with the supply. As silk became of indispensable use, the emperor Justinian saw with concern that the Persians had occupied by land and sea the monopoly of this important supply, and that the wealth of his subjects was continually drained by a nation of enemies and idolaters. An unexpected event rendered him and his subjects independent of their enemies. The Gospel had been preached to the Indians; a bishop already governed the Christians of St. Thomas on the pepper-coast of Malabar,* a church was planted in Ceylon, and the missionaries pursued

* This Syrian Church of India, professedly founded by St. Thomas, was probably an offshoot of the Nestorian Church of Persia, in the patriarchate of Babylon, planted in India not long before the period to which the passage in the text refers. See Rae (G. M.), *The Syrian Church in India* (1892).

the footsteps of commerce to the extremities of Asia. Two Persian monks had long resided in China, perhaps in the royal city of Nankin, the seat of a monarch addicted to foreign superstitions, and who actually received an embassy from the isle of Ceylon. Amidst their pious occupations they viewed with a curious eye the common dress of the Chinese, the manufactures of silk, and the myriads of silkworms, whose education (either on trees or in houses) had once been considered as the labour of queens. They soon discovered that it was impracticable to transport the short-lived insect, but that in the eggs a numerous progeny might be preserved and multiplied in a distant climate. Religion or interest had more power over the Persian monks than the love of their country: after a long journey they arrived at Constantinople, imparted their project to the emperor, and were liberally encouraged by the gifts and promises of Justinian. These missionaries of commerce again entered China, deceived a jealous people by concealing the eggs of the silkworm in a hollow cane, and returned in triumph with the spoils of the East.* Under their direction the eggs were hatched at the proper season by the artificial heat of dung; the worms were fed with mulberry-leaves; they lived and laboured in a foreign climate; a sufficient number of butterflies was saved to propagate the race, and trees were planted to supply the nourishment of the rising generations. Experience and reflection corrected the errors of a new attempt, and the Sogdoite ambassadors acknowledged in the succeeding reign that the Romans were not inferior to the natives of China in the education of the insects and the manufactures of silk, in which both China and Constantinople have been surpassed by the industry of modern Europe.

Avarice and profusion of Justinian and John of Cappadocia.

§ 8. The subjects of Justinian were dissatisfied with the times and with the government. Europe was overrun by the barbarians, and Asia by the monks: the poverty of the West discouraged the trade and manufactures of the East: the produce of labour was consumed by the unprofitable servants of the church, the state, and the army; and a rapid decrease was felt in the fixed and circulating capital which constitute the national wealth. The public distress had been alleviated by the economy of Anastasius, and that prudent emperor accumulated an immense treasure while he delivered his people from the most odious or oppressive taxes. His example was neglected, and his treasure was abused, by the nephew of Justin. The riches of Justinian were speedily exhausted by alms and buildings, by ambitious wars, and ignominious treaties. His revenues were found inadequate to his expenses. Every art

* Gibbon has here combined two versions of the mode in which the silk-manufacture was brought to Europe. Procopius (*Bellum Gothicum*, iv. 17) tells the story of the monks, whose nationality is not mentioned; Theophanes of Byzantium (Müller, *F. H. G.*, iv. p. 270) that of a Persian (not described as a monk) bringing the eggs in a hollow stick. They *may* be parts of the same story.

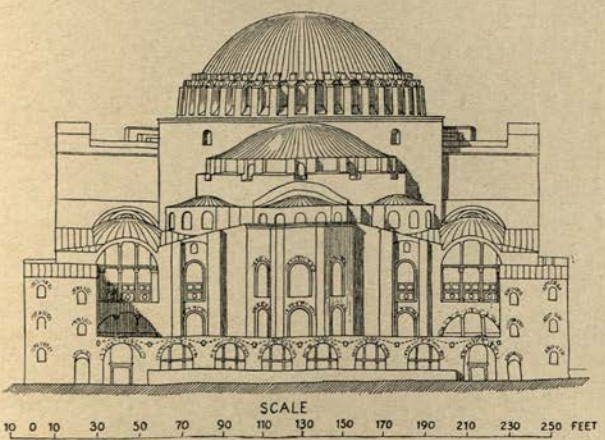
was tried to extort from the people the gold and silver which he scattered with a lavish hand from Persia to France: his reign was marked by the vicissitudes, or rather by the combat, of rapaciousness and avarice, of splendour and poverty; he lived with the reputation of hidden treasures, and bequeathed to his successor the payment of his debts. Although Justinian had recourse to various acts of oppression to raise money, much of the guilt and still more of the profit was intercepted by the ministers, who were seldom promoted for their virtues, and not always selected for their talents. Among these one of the most rapacious was John of Cappadocia, who was appointed Prætorian præfect in the year 530. His abilities, perhaps his vices, recommended him to the lasting friendship of Justinian: the emperor yielded with reluctance to the fury of the people;* his victory was displayed by the immediate restoration of their enemy; and they felt above ten years, under his oppressive administration, that he was stimulated by revenge rather than instructed by misfortune. Their murmurs served only to fortify the resolution of Justinian; but the præfect, in the insolence of favour, provoked the resentment of Theodora, disdained a power before which every knee was bent, and attempted to sow the seeds of discord between the emperor and his beloved consort. The favourite of Justinian was sacrificed to conjugal tenderness or domestic tranquillity, and the conversion of a præfect into a priest extinguished his ambitious hopes (A.D. 541).

Edifices of Justinian: Church of St. Sophia.

§ 9. The *edifices* of Justinian were cemented with the blood and treasure of his people; but those stately structures appeared to announce the prosperity of the empire, and actually displayed the skill of their architects. The principal church, which was dedicated by the founder of Constantinople to Saint Sophia,† or the eternal wisdom, had been twice destroyed by fire; after the exile of John Chrysostom, and during the *Nika* of the blue and green factions. No sooner did the tumult subside than the Christian populace deplored their sacrilegious rashness; but they might have rejoiced in the calamity, had they foreseen the glory of the new temple, which at the end of forty days was strenuously undertaken by the piety of Justinian. The architect Anthemius, a native of Tralles in Asia, formed the design, and the new cathedral of St. Sophia was consecrated by the patriarch, 5 years, 11 months, and 10 days from the first foundation (Dec. 26th, A.D. 537). Before 20 years had elapsed an earthquake overthrew the eastern part of the dome. Its splendour was again restored by the perseverance of the same prince; and in the 36th year of his reign Justinian celebrated the second dedication of a temple which remains, after 12 centuries, a stately monument of his fame. The architecture of St. Sophia, which is now converted into the principal mosque, has been imitated by the Turkish sultans, and that venerable pile continues to excite the fond admiration of the Greeks, and the more

* § 6. † Ἁγία Σοφία.

rational curiosity of European travellers. The eye of the spectator is disappointed by an irregular prospect of half-domes and shelving roofs: the western front, the principal approach, is destitute of simplicity and magnificence; and the scale of dimensions has been much surpassed by several of the Latin cathedrals. But the architect who first erected an *aërial* cupola is entitled to the praise of bold design and skilful execution. The dome of St. Sophia, illuminated by 24 windows, is formed with so small a curve, that the depth is equal only to one-sixth of its diameter; the measure of that diameter is 115 feet, and the lofty centre, where a crescent has supplanted the cross, rises to the perpendicular height of 180 feet above the pavement. The circle




St. Sophia.

which encompasses the dome lightly reposes on four strong arches, and their weight is firmly supported by four massy piles, whose strength is assisted on the northern and southern sides by four columns of Egyptian granite. A Greek cross, inscribed in a quadrangle, represents the form of the edifice; the exact breadth is 243 feet, and 269 may be assigned for the extreme length, from the sanctuary in the east to the nine western doors which open into the vestibule, and from thence into the *narthex*, or exterior portico. That portico was the humble station of the penitents. The nave or body of the church was filled by the congregation of the faithful; but the two sexes were distinguished, and the upper and lower galleries were allotted for the more private devotion of the women. Beyond the northern and southern piles a balustrade, terminated on either side by the thrones of the emperor and the patriarch, divided the nave from the choir; and the space, as far as the steps of the altar, was

occupied by the clergy and singers. The altar itself was placed in the eastern recess, artificially built in the form of a demi-cylinder; and this sanctuary communicated by several doors with the sacristy, the vestry, the baptistery, and the contiguous buildings, subservient either to the pomp of worship or the private use of the ecclesiastical ministers. The memory of past calamities inspired Justinian with a wise resolution that no wood, except for the doors, should be admitted into the new edifice; and the choice of the materials was applied to the strength, the lightness, or the splendour of the respective parts. The solid piles which sustained the cupola were composed of huge blocks of freestone, hewn into squares and triangles, fortified by circles of iron, and firmly cemented by the infusion of lead and quicklime; but the weight of the cupola was diminished by the levity of its substance, which consists either of pumice-stone that floats in the water, or of bricks from the isle of Rhodes, five times less ponderous than the ordinary sort. The whole frame of the edifice was constructed of brick; but those base materials were concealed by a crust of marble; and the inside of St. Sophia, the cupola, the two larger and the six smaller semidomes, the walls, the hundred columns, and the pavement, delight even the eyes of barbarians with a rich and variegated picture.

A poet,* who beheld the primitive lustre of St. Sophia, enumerates the colours, the shades, and the spots of ten or twelve marbles, jaspers, and porphyries, which nature had profusely diversified, and which were blended and contrasted as it were by a skilful painter. The triumph of Christ was adorned with the last spoils of Paganism, but the greater part of these costly stones was extracted from the quarries of Asia Minor, the isles and continent of Greece, Egypt, Africa, and Gaul. Eight columns of porphyry, which Aurelian had placed in the Temple of the Sun, were offered by the piety of a Roman matron; eight others of green marble were presented by the ambitious zeal of the magistrates of Ephesus: both are admirable by their size and beauty, but every order of architecture disclaims their fantastic capitals. The balustrade of the choir, the capitals of the pillars, the ornaments of the doors and galleries, were of gilt bronze. The spectator was dazzled by the glittering aspect of the cupola. The sanctuary contained 40,000 pounds weight of silver, and the holy vases and vestments of the altar were of the purest gold, enriched with inestimable gems. Before the structure of the church had arisen two cubits above the ground, 45,200 pounds were already consumed, and the whole expense amounted to 320,000. Each reader, according to the measure of his belief, may estimate their value either in gold or silver; but the sum of one million sterling is the result of the lowest computation. A magnificent temple is a laudable monument of

* Paulus Silentiarius, in the *Descriptio Sanctæ Sophiæ* (ἔκφρασις τοῦ ναοῦ τῆς ἁγίας Σοφίας).

national taste and religion, and the enthusiast who entered the dome of St. Sophia might be tempted to suppose that it was the residence, or even the workmanship, of the Deity. Yet how dull is the artifice, how insignificant is the labour, if it be compared with the formation of the vilest insect that crawls upon the surface of the temple!

So minute a description of an edifice which time has respected may attest the truth and excuse the relation of the innumerable works, both in the capital and provinces, which Justinian constructed on a smaller scale and less durable foundations, and of which Procopius gives a detailed account.

Fortifications of Justinian.

§ 10. The fortifications of Europe and Asia were multiplied by Justinian; but the repetition of those timid and fruitless precautions exposes, to a philosophic eye, the debility of the empire. From Belgrade to the Euxine, from the conflux of the Save to the mouth of the Danube, a chain of above fourscore fortified places was extended along the banks of the great river. The progress of the barbarians was sometimes retarded, and their hopes of rapine were disappointed, by the innumerable castles which, in the provinces of Dacia, Epirus, Thessaly, Macedonia, and Thrace, appeared to cover the whole face of the country. Yet these military works, which exhausted the public treasure, could not remove the just apprehensions of Justinian and his European subjects. The rich pastures of Thessalonica were foraged by the Scythian cavalry; the delicious vale of Tempe, 300 miles from the Danube, was continually alarmed by the sound of war; and no unfortified spot, however distant or solitary, could securely enjoy the blessings of peace. The straits of Thermopylæ, which seemed to protect, but which had so often betrayed, the safety of Greece, were diligently strengthened by the labours of Justinian. The riches of a capital diffuse themselves over the neighbouring country, and the territory of Constantinople, a paradise of nature, was adorned with the luxurious gardens and villas of the senators and opulent citizens. But their wealth served only to attract the bold and rapacious barbarians; the noblest of the Romans, in the bosom of peaceful indolence, were led away into Scythian captivity; and their sovereign might view from his palace the hostile flames which were insolently spread to the gates of the Imperial city. At the distance only of forty miles, Anastasius was constrained to establish a last frontier (A.D. 512); his long wall of 60 miles,* from the Propontis to the Euxine, proclaimed the impotence of his arms; and as the danger became more imminent, new fortifications were added by the indefatigable prudence of Justinian.

If we extend our view from the tropic to the mouth of the Tanais, we may observe, on one hand, the precautions of Justinian to curb the savages of Æthiopia, and, on the other, the long walls which he constructed in Crimea for the protection

* 420 stadia.

of his friendly Goths, a colony of 3000 shepherds and warriors. From that peninsula to Trebizond the eastern curve of the Euxine was secured by forts, by alliance, or by religion; and the possession of *Lazica*, the Colchis of ancient, the Mingrelia of modern, geography, soon became the object of an important war. Among the Roman cities beyond the Euphrates we distinguish two capitals, Amida and Edessa, which are celebrated in the history of every age, and which were strongly fortified by Justinian to resist the attacks of the great king. Westward of the Euphrates a sandy desert extends above 600 miles to the Red Sea. Nature had interposed a vacant solitude between the ambition of two rival empires: the Arabians, till Mahomet arose, were formidable only as robbers; and in the proud security of peace the fortifications of Syria were neglected on the most vulnerable side.

The Persian war in the reign of Anastasius: fortification of Dara.

§ 11. But the national enmity, at least the effects of that enmity, had been suspended by a truce which continued above fourscore years. Perozes, or Firouz, the king of Persia, had been defeated in an expedition against the White Huns,* and on the death of that monarch (A.D. 483), twelve years of confusion elapsed before his son Cabades or Kobad could embrace any designs of ambition or revenge. The parsimony of Anastasius was the motive or pretence of a Roman war,† the Huns and Arabs marched under the Persian standard, and the fortifications of Armenia and Mesopotamia were at that time in a ruinous or imperfect condition. Amida was taken by the Persians; and after the capture of this important city, the war continued three years, and the unhappy frontier tasted the full measure of its calamities (A.D. 502–505). The resistance of Edessa and the deficiency of spoil inclined the mind of Cabades to peace; he sold his conquests for an exorbitant price; and the same line, though marked with slaughter and devastation, still separated the two empires. To avert the repetition of the same evils, Anastasius resolved to found a new colony, so strong that it should defy the power of the Persian, so far advanced towards Assyria that its stationary troops might defend the province by the menace or operation of offensive war. For this purpose the town of Dara (Daras), 14 miles from Nisibis, and 4 days' journey from the Tigris, was peopled and adorned; and the hasty works of Anastasius were improved by the perseverance of Justinian. Dara continued more than 60 years to fulfil the wishes of its founders and to provoke the jealousy of the Persians, who incessantly complained that this impregnable fortress had been constructed in manifest violation of the treaty of peace between the two empires.

* Also known as the Haithal, or Ephthalite Huns; they dwelt in Bactria and the neighbouring districts between the Oxus and the Caspian.

† The pretext for the war was the refusal by Anastasius to furnish the sums promised to the Persians by the Imperial government for the defence of the Caucasian passes.

§ 12. Justinian suppressed the schools of Athens and the consulship of Rome, which had given so many sages and heroes to mankind. Both these institutions had long since degenerated from their primitive glory, yet some reproach may be justly inflicted on the avarice and jealousy of a prince by whose hand such venerable ruins were destroyed. Justinian suppresses the schools of Athens.

The establishment of a new religion proved fatal to the schools of Athens. The surviving sect of the Platonists, whom Plato would have blushed to acknowledge, extravagantly mingled a sublime theory with the practice of superstition and magic; and, as they remained alone in the midst of a Christian world, they indulged a secret rancour against the government of the church and state, whose severity was still suspended over their heads. About a century after the reign of Julian, Proclus was permitted to teach in the philosophic chair of the Academy. His sagacious mind explored the deepest questions of morals and metaphysics, and he ventured to urge eighteen arguments against the Christian doctrine of the creation of the world. But in the intervals of study he *personally* conversed with Pan, Æsculapius, and Minerva, in whose mysteries he was secretly initiated, and whose prostrate statues he adored. An eclipse of the sun announced his approaching end; and his Life, with that of his scholar Isidore, compiled by two of their most learned disciples, exhibits a deplorable picture of the second childhood of human reason.* Yet the golden chain, as it was fondly styled, of the Platonic succession, continued 44 years from the death of Proclus to the edict of Justinian (A.D. 485–529), which imposed a perpetual silence on the schools of Athens, and excited the grief and indignation of the few remaining votaries of Grecian science and superstition. Seven friends and philosophers, Diogenes and Hermias, Eulalius and Priscian, Damascius, Isidore, and Simplicius, who dissented from the religion of their sovereign, embraced the resolution of seeking in a foreign land the freedom which was denied in their native country; but they were equally dissatisfied with the despotism of Persia and the intolerance of the Magi. Their repentance was expressed by a precipitate return; but from this journey they derived a benefit which reflects the purest lustre on the character of Chosroes. He required that the seven sages who had visited the court of Persia should be exempted from the penal laws which Justinian enacted against his Pagan subjects; and this privilege, expressly stipulated in a treaty of peace, was guarded by the vigilance of a powerful mediator. Simplicius and his companions ended their lives in peace and obscurity; and, as they left no disciples,

* The metaphysical *system* of Proclus must be carefully distinguished from these aberrations of fancy. As a system it is not a much greater violation of common sense than those of metaphysicians of the eighteenth and nineteenth centuries. See Erdmann, *History of Philosophy*, i. § 130; Zeller, *Philosophie der Griechen*, iii. 12. For the spirit of the Neo-Platonic philosophy, see Bussell, *The School of Plato*, bk. v.

they terminate the long list of Grecian philosophers, who may be justly praised, notwithstanding their defects, as the wisest and most virtuous of their contemporaries. The writings of Simplicius are now extant. His physical and metaphysical commentaries on Aristotle have passed away with the fashion of the times; but his moral interpretation of Epictetus is preserved in the library of nations, as a classic book, most excellently adapted to direct the will, to purify the heart, and to confirm the understanding, by a just confidence in the nature both of God and man.

And the Roman consulship.

§ 13. The revolutions of the consular office, which may be viewed in the successive lights of a substance, a shadow, and a name, have been occasionally mentioned in the present history. The first magistrates of the republic had been chosen by the people, to exercise, in the senate and in the camp, the powers of peace and war, which were afterwards translated to the emperors. But the tradition of ancient dignity was long revered by the Romans and barbarians. A Gothic historian applauds the consulship of Theodoric as the height of all temporal glory and greatness; and at the end of a thousand years, two consuls were created by the sovereigns of Rome and Constantinople for the sole purpose of giving a date to the year and a festival to the people. But the expenses of this festival, in which the wealthy and the vain aspired to surpass their predecessors, insensibly arose to the enormous sum of fourscore thousand pounds; and the wisest senators declined an useless honour which involved the certain ruin of their families. The succession of consuls finally ceased in the 13th year of Justinian (A.D. 541), whose despotic temper might be gratified by the silent extinction of a title which admonished the Romans of their ancient freedom. Yet the annual consulship still lived in the minds of the people; they fondly expected its speedy restoration; they applauded the gracious condescension of successive princes, by whom it was assumed in the first year of their reign; and three centuries elapsed, after the death of Justinian, before that obsolete dignity, which had been suppressed by custom, could be abolished by law.* The imperfect mode of distinguishing each year by the name of a magistrate was usefully supplied by the date of a permanent æra: the creation of the world, according to the Septuagint version, was adopted by the Greeks; and the Latins, since the age of Charlemagne, have computed their time from the birth of Christ.†

[Hodgkin, *Italy and her Invaders*, bk. iv. c. 14; Bury, *History of the Later Roman Empire*, bk. iv. part i. cc. 1, 2; Ranke, *Weltgeschichte*, iv. 2, c. 15.

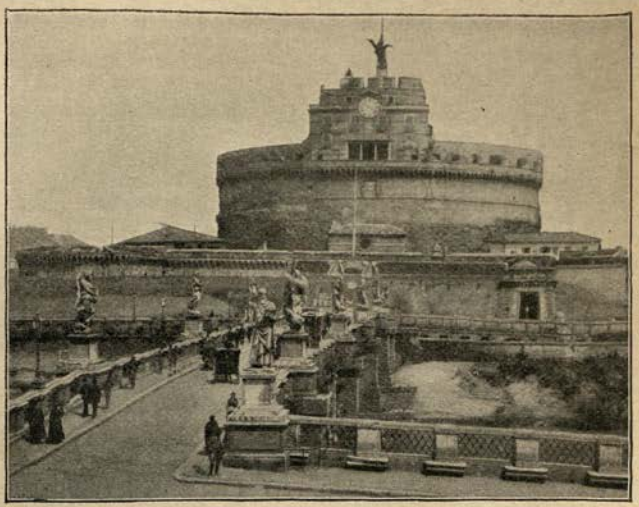
* By the emperor Leo, the philosopher.

† The æra of Constantinople, reckoned in the *annus mundi*, was 5508, of Antioch, 5492. According to the first reckoning the incarnation fell in the year 5509—in terms of the older Greek system, the 4th year of the 194th Olympiad.

and the study of Procopius (III., in *Analekten*, to Vol.); Finlay, *History of Greece*, ch. iii. §§ 1–4; Bryce, *Justinian*, in Smith and Wace, *Dictionary of Christian Biography*, and *Life of Justinian by Theophilus*, in *English Historical Review*, No. 8, Oct., 1887; Mallet, *The Empress Theodora*, in *English Historical Review*, No. 5, Jan., 1887. On the Persian war, Rawlinson, *Seventh Great Oriental Monarchy*. On the schools of Athens, C. G. Zumpt, *über den Bestand der philosophischen Schulen in Athen.*]

The Empress Theodora, from a Mosaic.*

* This illustration and the one on p. 323 are taken from a mosaic in the church of San Vitale, Ravenna. The figures are as large as life, upon a gold ground. In the former the emperor is advancing, his hands full of costly gifts. Behind him is a train of courtiers, and next his body-guard. The archbishop Maximian, with his clergy, advances to meet him. In the other drawing is the empress Theodora, surrounded by the ladies of her court, in the act of entering the church. A chamberlain before the empress draws back a richly embroidered curtain, so as to exhibit the entrance court of a church, symbolised by a cleansing fountain. Justinian and Theodora are distinguished by the nimbus. See Kugler, *Handbook of Painting in Italy*, p. 35; Labarte, *Handbook of the Arts of the Middle Ages*, p. xxi.



Mole of Hadrian (now the Castle of S. Angelo). (See § 12.)

## CHAPTER XXI.

### REIGN OF JUSTINIAN.—CONQUEST OF THE VANDALS AND OSTROGOTHS.

§ 1. Justinian resolves to invade Africa. § 2. State of the Vandals: appointment of Belisarius to the command of the war. § 3. Belisarius lands in Africa and defeats the Vandals. § 4. Reduction of Carthage: final defeat of the Vandals. § 5. Conquest of Africa. § 6. Return and triumph of Belisarius. § 7. Neutrality of the Visigoths: conquests of the Romans in Spain. § 8. Belisarius threatens the Ostrogoths of Italy. § 9. Government and death of Amalasuntha, queen of Italy. § 10. Belisarius conquers Sicily and invades Italy: capture of Naples. § 11. Vitiges, king of Italy: Belisarius enters Rome. § 12. Siege of Rome by the Goths. § 13. Invasion of Italy by the Franks. § 14. Belisarius takes Ravenna, and subdues the Gothic kingdom of Italy.

Justinian resolves to invade Africa.

§ 1. WHEN Justinian ascended the throne, about fifty years after the fall of the Western Empire, the kingdoms of the Goths and Vandals had obtained a solid, and, as it might seem, a legal establishment both in Europe and Africa. But, after Rome herself had been stripped of the Imperial purple, the princes of Constantinople assumed the sole and sacred sceptre of the monarchy; demanded, as their rightful inheritance, the provinces which had been subdued by the consuls or possessed by the Cæsars; and feebly aspired to deliver their faithful subjects of

the West from the usurpation of heretics and barbarians. The execution of this splendid design was in some degree reserved for Justinian. During the five first years of his reign he reluctantly waged a costly and unprofitable war against the Persians, till his pride submitted to his ambition, and he purchased, at the price of 11,000 pounds of gold, the benefit of a precarious truce, which, in the language of both nations, was dignified with the appellation of the *endless* peace (A.D. 532). The safety of the East enabled the emperor to employ his forces against the Vandals; and the internal state of Africa afforded an honourable motive, and promised a powerful support, to the Roman arms.

State of the Vandals: appointment of Belisarius to the command of the war.

§ 2. According to the testament of the founder, the African kingdom had lineally descended to Hilderic, the eldest of the Vandal princes (A.D. 523-531). He offended the Arian clergy by granting toleration to the Catholics; and the soldiers complained that he had degenerated from the courage of his ancestors. The public discontent was exasperated by Gelimer, who assumed, with the consent of the nation, the reins of government (A.D. 531-534), and his unfortunate sovereign sunk without a struggle from the throne to a dungeon. But the indulgence which Hilderic had shown to his Catholic subjects had powerfully recommended him to the favour of Justinian, who resolved to deliver or revenge his friend. The command of the expedition was entrusted to Belisarius, one of those heroic names which are familiar to every age and to every nation.

The Africanus of New Rome was born, and perhaps educated, among the Thracian peasants,* without any of those advantages which had formed the virtues of the elder and younger Scipio—a noble origin, liberal studies, and the emulation of a free state. Belisarius served among the private guards of Justinian; and when his patron became emperor, the domestic was promoted to military command. He had already distinguished himself by his services in the Persian war (A.D. 529-532); and his appointment to the African war was hailed with unanimous applause. The temper of the Byzantine court may encourage a suspicion that the hero was darkly assisted by the intrigues of his wife, the fair and subtle Antonina, who alternately enjoyed the confidence, and incurred the hatred, of the empress Theodora. The birth of Antonina was ignoble; she descended from a family of charioteers; and her chastity has been stained with the foulest reproach. Yet she reigned with long and absolute power over the mind of her illustrious husband, whom she accompanied with undaunted resolution in all the hardships and dangers of a military life.

* He was born in a district called *Germania* (probably from its being peopled by German colonists), between Illyricum and Thrace (Procopius, *Bellum Vandalicum*, i. 11). He was probably of a Slavonic family, and his name has been interpreted to mean "White Prince" (Beli-tzar). Bury (*Later Roman Empire*, i. p. 341, note 4) also interprets the name as Slavonic, but thinks that it means "White Dawn."

Belisarius lands in Africa and defeats the Vandals.

§ 3. The preparations for the African war were not unworthy of the last contest between Rome and Carthage. Five hundred transports, navigated by 20,000 mariners of Egypt, Cilicia, and Ionia, were collected in the harbour of Constantinople. The smallest of these vessels may be computed at 30, the largest at 500, tons; and the fair average will supply an allowance of about 100,000 tons, for the reception of 35,000 soldiers and sailors,* of 5000 horses, of arms, engines, and military stores, and of a sufficient stock of water and provisions for a voyage, perhaps, of three months. The proud galleys which in former ages swept the Mediterranean with so many hundred oars had long since disappeared; and the fleet of Justinian was escorted only by 92 light brigantines, covered from the missile weapons of the enemy, and rowed by 2000 of the brave and robust youth of Constantinople.

The fleet sailed from Constantinople in June, A.D. 533, and after a prosperous voyage of three months finally cast anchor at the promontory of Caput Vada, about five days' journey to the south of Carthage. The men and horses, the arms and military stores, were safely disembarked; and Belisarius marched without delay against the capital of the Vandal kingdom. The small town of Sullecthum, one day's journey from the camp, had the honour of being foremost to open her gates and to resume her ancient allegiance; the larger cities of Leptis and Adrumetum imitated the example of loyalty as soon as Belisarius appeared; and he advanced without opposition as far as Grasse, a palace of the Vandal kings, at the distance of 50 miles from Carthage. The near approach of the Romans to the capital filled the mind of Gelimer with anxiety and terror. Not expecting the approach of the enemy, he had sent his brother with a detachment of veteran troops to conquer Sardinia, and he was now obliged to risk a battle in his absence. At the distance of 10 miles from Carthage (*ad Decimum*), the Vandals were entirely defeated by Belisarius. Gelimer retired with hasty steps towards the desert of Numidia; but he had soon the consolation of learning that his private orders for the execution of Hilderic had been faithfully obeyed. The tyrant's revenge was useful only to his enemies. The death of a lawful prince excited the compassion of his people; his life might have perplexed the victorious Romans; and the lieutenant of Justinian, by a crime of which he was innocent, was relieved from the painful alternative of forfeiting his honour or relinquishing his conquests.

Reduction of Carthage: final defeat of the Vandals.

§ 4. On the following day Belisarius entered Carthage without opposition. The city blazed with innumerable torches, the signals of the public joy; the chain was removed that guarded the entrance of the port, the gates were thrown open, and the people with acclamations of gratitude hailed and invited their Roman deliverers. Belisarius protected the city from pillage,

* The forces, exclusive of the seamen, consisted of 10,000 infantry and 5000 cavalry.

and granted their lives to the suppliant Vandals. He lost no time in restoring the fortifications of Carthage, which had been suffered to decay by the thoughtless and indolent Vandals. Meantime Gelimer, after the loss of his capital, had applied himself to collect the remains of an army scattered, rather than destroyed, by the preceding battle. He encamped in the fields of Bulla Regia, four days' journey from Carthage, where he was joined by his brother Tzazo, who had returned from the conquest of Sardinia. The final battle, which decided the fate of the Vandal monarchy, was fought about 20 miles from Carthage. The Vandals were totally defeated, and Gelimer fled to the inaccessible country of the Moors. Belisarius fixed his winter-quarters at Carthage, from whence he despatched his principal lieutenant to inform the emperor that in the space of three months he had achieved the conquest of Africa.

Conquest of Africa.

§ 5. Belisarius spoke the language of truth. The surviving Vandals yielded, without resistance, their arms and their freedom; and the more distant provinces were successively subdued by the report of his victory. Sardinia and Corsica surrendered to an officer of Belisarius; and the isles of Majorca, Minorca, and Iviza consented to remain an humble appendage of the African kingdom. As soon as Justinian had received the messengers of victory, he proceeded without delay to the full establishment of the Catholic church. Her jurisdiction, wealth, and immunities were restored and amplified with a liberal hand; the Arian worship was suppressed, the Donatist meetings were proscribed, and the synod of Carthage, by the voice of 217 bishops, applauded the just measure of pious retaliation. While Justinian approved himself the defender of the faith, he entertained an ambitious hope that his victorious lieutenant would speedily enlarge the narrow limits of his dominion to the space which they occupied before the invasion of the Moors and Vandals; and Belisarius was instructed to establish five *dukes* or commanders in the convenient stations of Tripoli, Leptis, Cirta, Cæsarea, and Sardinia. The kingdom of the Vandals was not unworthy of the presence of a Prætorian præfect; and four consulars, three presidents, were appointed to administer the seven provinces under his civil jurisdiction. After the departure of Belisarius, who acted by a high and special commission, no ordinary provision was made for a master-general of the forces; but the office of Prætorian præfect was entrusted to a soldier; the civil and military powers were united, according to the practice of Justinian, in the chief governor; and the representative of the emperor in Africa, as well as in Italy, was soon distinguished by the appellation of Exarch.

Return and triumph of Belisarius.

§ 6. In the following spring (A.D. 534) Gelimer, having received assurances of safety and honourable treatment, surrendered to the lieutenant of Belisarius, and was carried to Constantinople, whither the conqueror of Africa proceeded in the course of the same year. The chiefs of the Roman army, presuming to think

themselves the rivals of an hero, had maliciously affirmed in their private despatches that Belisarius, strong in his reputation and the public love, conspired to seat himself on the throne of the Vandals. Justinian listened with too patient an ear. An honourable alternative, of remaining in the province, or of returning to the capital, was indeed submitted to the discretion of Belisarius; but he wisely concluded, from intercepted letters and the knowledge of his sovereign's temper, that he must either resign his head, erect his standard, or confound his enemies by his presence and submission. Innocence and courage decided his choice; his guards, captives, and treasures were diligently embarked; and so prosperous was the navigation, that his arrival at Constantinople preceded any certain account of his departure from the port of Carthage. Such unsuspecting loyalty removed the apprehensions of Justinian: envy was silenced and inflamed by the public gratitude; and the third Africanus obtained the honours of a triumph, a ceremony which the city of Constantine had never seen, and which ancient Rome, since the reign of Tiberius, had reserved for the *auspicious* arms of the Cæsars.* From the palace of Belisarius the procession was conducted through the principal streets to the hippodrome; and this memorable day seemed to avenge the injuries of Genseric and to expiate the shame of the Romans. The wealth of nations was displayed, the trophies of martial or effeminate luxury; the massy furniture of the royal banquet, the splendour of precious stones, the elegant forms of statues and vases, the more substantial treasure of gold, and the holy vessels of the Jewish temple, which, after their long peregrination, were respectfully deposited in the Christian church of Jerusalem. A long train of the noblest Vandals reluctantly exposed their lofty stature and manly countenance. Gelimer slowly advanced: he was clad in a purple robe, and still maintained the majesty of a king. Not a tear escaped from his eyes, not a sigh was heard; but his pride or piety derived some secret consolation from the words of Solomon, which he repeatedly pronounced, VANITY! VANITY! ALL IS VANITY! Instead of ascending a triumphal car drawn by four horses or elephants, the modest conqueror marched on foot at the head of his brave companions. The glorious procession entered the gate of the hippodrome; was saluted by the acclamations of the senate and people; and halted before the throne where Justinian and Theodora were seated to receive the homage of the captive monarch and the victorious hero. Belisarius was immediately declared consul for the ensuing year (A.D. 535), and the day of his inauguration resembled the pomp of a second triumph: his curule chair was borne aloft on the shoulders of captive Vandals; and the spoils of war, gold cups, and rich girdles, were profusely scattered among the populace.

Neutrality of the

§ 7. The experience of past faults, which may sometimes

* See Appendix to ch. vii.

correct the mature age of an individual, is seldom profitable to the successive generations of mankind. The nations of antiquity, careless of each other's safety, were separately vanquished and enslaved by the Romans. This awful lesson might have instructed the barbarians of the West to oppose, with timely counsels and confederate arms, the unbounded ambition of Justinian. Yet the same error was repeated, the same consequences were felt, and the Goths, both of Italy and Spain, insensible of their approaching danger, beheld with indifference, and even with joy, the rapid downfall of the Vandals. After the failure of the royal line, Theudis, a valiant and powerful chief, ascended the throne of Spain, which he had formerly administered in the name of Theodoric and his infant grandson. The unfortunate Gelimer in vain implored, in his distress, the aid of the Spanish monarch. The long continuance of the Italian war delayed the punishment of the Visigoths, and the eyes of Theudis were closed before they tasted the fruits of his mistaken policy. After his death the sceptre of Spain was disputed by a civil war. The weaker candidate solicited the protection of Justinian, and ambitiously subscribed a treaty of alliance which deeply wounded the independence and happiness of his country. Several cities, both on the ocean and the Mediterranean, were ceded to the Roman troops, who afterwards refused to evacuate those pledges, as it should seem, either of safety or payment; and, as they were fortified by perpetual supplies from Africa, they maintained their impregnable stations for the mischievous purpose of inflaming the civil and religious factions of the barbarians. Seventy years elapsed before this painful thorn could be extirpated from the bosom of the monarchy; and as long as the emperors retained any share of these remote and useless possessions, their vanity might number Spain in the list of their provinces, and the successors of Alaric in the rank of their vassals (A.D. 554–623).

Visigoths: conquests of the Romans in Spain.

§ 8. The error of the Ostrogoths who reigned in Italy was less excusable than that of their Spanish brethren, and their punishment was still more immediate and terrible. From a motive of private revenge, they enabled their most dangerous enemy to destroy their most valuable ally. A sister of the great Theodoric had been given in marriage to Thrasamund the African king:* on this occasion the fortress of Lilybæum, in Sicily, was resigned to the Vandals, and the princess Amalafrida was attended by a martial train of 1000 nobles and 5000 Gothic soldiers, who signalised their valour in the Moorish wars. Their merit was over-rated by themselves, and perhaps neglected by the Vandals: they viewed the country with envy, and the conquerors with disdain; but their real or fictitious conspiracy was prevented by a massacre; the Goths were oppressed, and the captivity of Amalafrida was soon followed by her secret and suspicious death. The Goths joyfully saluted the approach of the Romans,

Belisarius threatens the Ostrogoths of Italy.

* Thrasamund was the predecessor of Hilderic on the throne of the Vandals. See § 2.

entertained the fleet of Belisarius in the ports of Sicily, and were speedily delighted or alarmed by the surprising intelligence that their revenge was executed beyond the measure of their hopes, or perhaps of their wishes. To their friendship the emperor was indebted for the kingdom of Africa, and the Goths might reasonably think that they were entitled to resume the possession of a barren rock, so recently separated as a nuptial gift from the island of Sicily. They were soon undeceived by the haughty mandate of Belisarius, who claimed the city and promontory of Lilybæum, and threatened, if the Romans took up arms, to deprive the Goths of all the provinces which they unjustly withheld from their lawful sovereign. A nation of 200,000 soldiers might have smiled at the vain menace of Justinian and his lieutenant; but a spirit of discord and disaffection prevailed in Italy, and the Goths supported with reluctance the indignity of a female reign.

Government and death of Amalasuntha, queen of Italy.

§ 9. Amalasuntha, the regent and queen of Italy, was the daughter of the great Theodoric, who left no male offspring. The sex of his daughter excluded her from the Gothic throne; but his vigilant tenderness for his family and his people discovered the last heir of the royal line, whose ancestors had taken refuge in Spain, and the fortunate Eutharic was exalted to the dignity of son-in-law of Theodoric. He enjoyed only a short time the hopes of the succession; and his widow, after the death of her husband and father, was left the guardian of her son Athalaric, and the kingdom of Italy. She governed with prudence and wisdom, and by a faithful imitation of the virtues of her father, she revived the prosperity of his reign. Her salutary measures were directed by the wisdom and celebrated by the eloquence of Cassiodorus; she solicited and deserved the friendship of the emperor; and the kingdoms of Europe respected, both in peace and war, the majesty of the Gothic throne. The future happiness of the queen and of Italy depended on the education of her son, who was diligently instructed in the arts and sciences either useful or ornamental for a Roman prince. But the pupil who is insensible of the benefits must abhor the restraints of education; and the solicitude of the queen, which affection rendered anxious and severe, offended the untractable nature of her son and his subjects. On a solemn festival, when the Goths were assembled in the palace of Ravenna, the royal youth escaped from his mother's apartment, and, with tears of pride and anger, complained of a blow which his stubborn disobedience had provoked her to inflict. The barbarians resented the indignity which had been offered to their king, and imperiously demanded that the grandson of Theodoric should be rescued from the dastardly discipline of women and pedants, and educated like a valiant Goth, in the society of his equals and the glorious ignorance of his ancestors. To this rude clamour Amalasuntha was compelled to yield her reason and the dearest wishes of her heart. The king of Italy was abandoned to wine, to women, and

to rustic sports; and the indiscreet contempt of the ungrateful youth betrayed the mischievous designs of his favourites and her enemies. Encompassed with domestic foes she entered into a secret negotiation with the emperor Justinian; obtained the assurance of a friendly reception, and had actually deposited at Dyrrachium in Epirus a treasure of forty thousand pounds of gold. Happy would it have been for her fame and safety, if she had calmly retired from barbarous faction to the peace and splendour of Constantinople. But the mind of Amalasuntha was inflamed by ambition and revenge. Three of the most dangerous malcontents had been separately removed, under the pretence of trust and command, to the frontiers of Italy; they were assassinated by her private emissaries; and the blood of these noble Goths rendered the queen-mother absolute in the court of Ravenna, and justly odious to a free people. But if she had lamented the disorders of her son, she soon wept his irreparable loss; and the death of Athalaric, who, at the age of sixteen, was consumed by premature intemperance, left her destitute of any firm support or legal authority. Instead of submitting to the laws of her country, which held as a fundamental maxim that the succession could never pass from the lance to the distaff, the daughter of Theodoric conceived the impracticable design of sharing, with one of her cousins, the regal title, and of reserving in her own hands the substance of supreme power. He received the proposal with profound respect and affected gratitude; and the eloquent Cassiodorus announced to the senate and the emperor that Amalasuntha and Theodatus (Theodahat) had ascended the throne of Italy. His birth (for his mother was the sister of Theodoric) might be considered as an imperfect title; and the choice of Amalasuntha was more strongly directed by her contempt of his avarice and pusillanimity, which had deprived him of the love of the Italians and the esteem of the barbarians. But Theodatus was exasperated by the contempt which he deserved; and the principal Goths, united by common guilt and resentment, conspired to instigate his slow and timid disposition. The letters of congratulation were scarcely despatched before the queen of Italy was imprisoned in a small island of the lake of Bolsena, where, after a short confinement, she was strangled in the bath, by the order or with the connivance of the new king, who instructed his turbulent subjects to shed the blood of their sovereigns (A.D. 535).

Belisarius conquers Sicily and invades Italy: capture of Naples.

§ 10. Justinian beheld with joy the dissensions of the Goths, and declared war against the perfidious assassin of Amalasuntha. Belisarius was sent with a small force to reduce Sicily; the island submitted to his victorious arms almost without opposition, and this province, the first-fruits of the Punic wars, was again, after a long separation, united to the Roman empire (A.D. 535). In the following spring Belisarius crossed over from Messina to Rhegium, and advanced without opposition along the shores of Bruttium, Lucania, and Campania, till he reached Naples. This

Vcity resisted all the assaults of Belisarius for the space of 20 days; and the Roman general began to despair of success, when his anxiety was relieved by the bold curiosity of an Isaurian, who explored the dry channel of an aqueduct, and secretly reported that a passage might be perforated to introduce a file of armed soldiers into the heart of the city. In the darkness of the night 400 Romans entered the aqueduct, raised themselves by a rope, which they fastened to an olive-tree, into the house or garden of a solitary matron, sounded their trumpets, surprised the sentinels, and gave admittance to their companions, who on all sides scaled the walls and burst open the gates of the city. The inhabitants were saved by the virtue and authority of their conqueror. The barbarian garrison enlisted in the service of the emperor; and Apulia and Calabria, delivered from the odious presence of the Goths, acknowledged his dominion.

Vitiges, king of Italy: Belisarius enters Rome.

§ 11. The capture of Naples was followed by the deposition and death of the weak and unwarlike Theodatus. The Goths declared him unworthy of his race, his nation, and his throne; and their general Vitiges was raised with unanimous applause on the bucklers of his companions. On the first rumour the abdicated monarch fled from the justice of his country, but he was pursued by private revenge. A Goth, whom he had injured in his love, overtook Theodatus on the Flaminian Way, and, regardless of his unmanly cries, slaughtered him as he lay prostrate on the ground. A national council was immediately held, and the new monarch reconciled the impatient spirit of the barbarians to a measure of disgrace which the misconduct of his predecessor rendered wise and indispensable. The Goths consented to retreat in the presence of a victorious enemy, to delay till the next spring the operations of offensive war, to summon their scattered forces, to relinquish their distant possessions, and to trust even Rome itself to the faith of its inhabitants.* Leudaris, an aged warrior, was left in the capital with 4000 soldiers; a feeble garrison, which might have seconded the zeal, though it was incapable of opposing the wishes, of the Romans. But a momentary enthusiasm of religion and patriotism was kindled in their minds. They furiously exclaimed that the apostolic throne should no longer be profaned by the triumph or toleration of Arianism; that the tombs of the Cæsars should no longer be trampled by the savages of the North; and, without reflecting that Italy must sink into a province of Constantinople, they fondly hailed the restoration of a Roman emperor as a new æra of freedom and prosperity. The deputies of the pope and clergy, of the senate and people, invited the lieutenant of Justinian to accept their voluntary allegiance. When Belisarius entered

* Vitiges' retreat to the North was probably due to the disturbing attitude of the Franks, who threatened to invade Provence. But this scarcely justified the abandonment of Rome by the generals and the bulk of the Gothic army, which must be regarded as a military blunder. See Hodgkin, *Italy and her Invaders*, bk. v. c. 3; Bury, *Later Roman Empire*, bk. iv. c. 5.

the city, the garrison departed without molestation along the Flaminian Way; and Rome, after sixty years' servitude, was delivered from the yoke of the barbarians (A.D. 536, Dec. 9). Leudaris alone, from a motive of pride or discontent, refused to accompany the fugitives; and the Gothic chief, himself a trophy of the victory, was sent with the keys of Rome to the throne of the emperor Justinian.

Siege of Rome by the Goths.

§ 12. The Gothic king employed the winter months in collecting a formidable army; and in the month of March (A.D. 537), he crossed the Tiber at the head of 150,000 fighting men, and laid siege to Rome. This siege, which continued above a year, is one of the most memorable in history. Belisarius was assisted in the defence by the population of the city, but his confidence was placed in the veterans who had fought under his banner in the Persian and African wars; and although that gallant band was reduced to 5000 men, he undertook, with such contemptible numbers, to defend a circle of 12 miles against an army of 150,000 barbarians. In the walls of Rome, which Belisarius constructed or restored, the materials of ancient architecture may be discerned; and the whole fortification was completed, except in a chasm still extant between the Pincian and Flaminian gates, which the prejudices of the Goths and Romans left under the effectual guard of St. Peter the apostle. The battlements or bastions were shaped in sharp angles; a ditch, broad and deep, protected the foot of the rampart; and the archers on the rampart were assisted by military engines; the *balista*, a powerful cross-bow, which darted short but massy arrows; the *onagri*, or wild asses, which, on the principle of a sling, threw stones and bullets of an enormous size. A chain was drawn across the Tiber; the arches of the aqueducts were made impervious, and the mole or sepulchre of Hadrian was converted, for the first time, to the uses of a citadel. That venerable structure, which contained the ashes of the Antonines, was a circular turret rising from a quadrangular basis; it was covered with the white marble of Paros, and decorated by the statues of gods and heroes; and the lover of the arts must read with a sigh that the works of Praxiteles or Lysippus were torn from their lofty pedestals, and hurled into the ditch on the heads of the besiegers. The Goths advanced with confidence to the assault; but after a fierce contest, maintained from the morning to the evening, they were repulsed on all sides; 30,000 barbarians, according to the confession of their own chiefs, perished in this bloody action; the hostile engines of war were reduced to ashes; and such was the loss and consternation of the Goths, that from this day the siege of Rome degenerated into a tedious and indolent blockade. We cannot relate in detail the remaining history of the siege. The whole nation of the Ostrogoths had

Coin of Vitiges with Justinian's head on obverse.

been assembled for the attack; and if any credit be due to an intelligent spectator, one-third at least of their enormous host was destroyed in frequent and bloody combats under the walls of the city. After a delay of many months Belisarius received reinforcements from Justinian; and Vitiges was at length compelled to retreat. One year and nine days after the commencement of the siege, an army so lately strong and triumphant burnt their tents, and tumultuously repassed the Milvian bridge (A.D. 538). They repassed not with impunity; their thronging multitudes, oppressed in a narrow passage, were driven headlong into the Tiber by their own fears and the pursuit of the enemy, and the Roman general, sallying from the Pincian gate, inflicted a severe and disgraceful wound on their retreat.

Invasion of Italy by the Franks.

§ 13. Vitiges took refuge in the walls and morasses of Ravenna. To these walls, and to some fortresses destitute of any mutual support, the Gothic monarchy was now reduced. The provinces of Italy had embraced the party of the emperor; and his army, gradually recruited to the number of 20,000 men, must have achieved an easy and rapid conquest if their invincible powers had not been weakened by the discord of the Roman chiefs. These dissensions were at length healed, and all opposition was subdued, by the temperate authority of Belisarius; but in the interval of discord the Goths were permitted to breathe; an important season was lost, Milan was destroyed, and the northern provinces of Italy were afflicted by an inundation of the Franks. Theodebert of Austrasia, the most powerful and warlike of the Merovingian kings, had been persuaded to succour the distress of the Goths by an indirect and seasonable aid. Without expecting the consent of their sovereign, ten thousand Burgundians, his recent subjects, descended from the Alps, and joined the troops which Vitiges had sent to chastise the revolt of Milan. After an obstinate siege the capital of Liguria was reduced by famine; the male population was slain; and the houses, or at least the walls, of Milan were levelled with the ground (A.D. 538). The Goths, in their last moments, were revenged by the destruction of a city second only to Rome in size and opulence, in the splendour of its buildings, or the number of its inhabitants. Encouraged by this successful inroad, Theodebert himself, in the ensuing spring, invaded the plains of Italy with an army of 100,000 barbarians. Italy trembled at the march of the Franks, and both the Gothic prince and the Roman general, alike ignorant of their designs, solicited with hope and terror the friendship of these dangerous allies. Till he had secured the passage of the Po on the bridge of Pavia, the grandson of Clovis dissembled his intentions, which he at length declared by assaulting, almost at the same instant, the hostile camps of the Romans and Goths. Instead of uniting their arms, they fled with equal precipitation, and the fertile though desolate provinces of Liguria and Æmilia were abandoned to a licentious host of barbarians. But the

conquerors, in the midst of their success, were left destitute of bread or wine, reduced to drink the waters of the Po, and to feed on the flesh of distempered cattle. The dysentery swept away one-third of their army, and the clamours of his subjects, who were impatient to pass the Alps, disposed Theodebert to listen with respect to the mild exhortations of Belisarius. The memory of this inglorious and destructive warfare was perpetuated on the medals of Gaul, and Justinian, without unsheathing his sword, assumed the title of conqueror of the Franks.

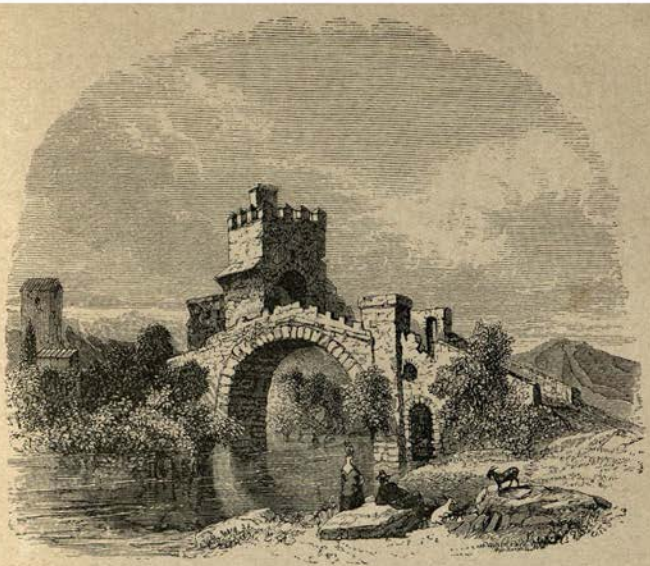
Belisarius takes Ravenna, and subdues the Gothic kingdom of Italy.

§ 14. As soon as Belisarius was delivered from his foreign and domestic enemies, he seriously applied his forces to the final reduction of Italy. The multitudes which yet adhered to the standard of Vitiges far surpassed the number of the Roman troops, but neither prayers nor defiance, nor the extreme danger of his most faithful subjects, could tempt the Gothic king beyond the fortifications of Ravenna. These fortifications were indeed impregnable to the assaults of art or violence, and when Belisarius invested the capital he was soon convinced that famine only could tame the stubborn spirit of the barbarians. The sea, the land, and the channels of the Po were guarded by the vigilance of the Roman general; and his morality extended the rights of war to the practice of poisoning the waters and secretly firing the granaries of a besieged city. The Goths compared the fame and fortune of Belisarius with the weakness of their ill-fated king, and the comparison suggested an extraordinary project, to which Vitiges, with apparent resignation, was compelled to acquiesce. They offered their arms, their treasures, and the fortifications of Ravenna, if Belisarius would disclaim the authority of a master, accept the choice of the Goths, and assume, as he had deserved, the kingdom of Italy. Belisarius readily entered into the *negotiation*; and his dexterous policy persuaded the Goths that he was disposed to comply with their wishes, without engaging an oath or a promise for the performance of a treaty which he secretly abhorred. The day of the surrender of Ravenna was stipulated by the Gothic ambassadors; a fleet, laden with provisions, sailed as a welcome guest into the deepest recess of the harbour, the gates were opened to the fancied king of Italy, and Belisarius, without meeting an enemy, triumphantly marched through the streets of an impregnable city (early in A.D. 540). Before the Goths could recover from the first surprise and claim the accomplishment of their doubtful hopes, the victor established his power in Ravenna beyond the danger of repentance and revolt. Vitiges was honourably guarded in his palace; the flower of the Gothic youth was selected for the service of the emperor; the remainder of the people was dismissed to their peaceful habitations in the southern provinces, and a colony of Italians was invited to replenish the depopulated city.

§ 15. After the second victory of Belisarius, envy again whispered, Justinian listened, and the hero was recalled. "The

remnant of the Gothic war was no longer worthy of his presence: a gracious sovereign was impatient to reward his services and to consult his wisdom; and he alone was capable of defending the East against the innumerable armies of Persia." Belisarius understood the suspicion, accepted the excuse, and embarked at Ravenna his spoils and trophies. The conqueror of Italy renounced without a murmur, perhaps without a sigh, the well-earned honours of a second triumph. His glory was, indeed, exalted above all external pomp; and the faint and hollow praises of the court were supplied, even in a servile age, by the respect and admiration of his country. Whenever he appeared in the streets and public places of Constantinople, Belisarius attracted and satisfied the eyes of the people. His lofty stature and majestic countenance fulfilled their expectations of a hero, and the meanest of his fellow-citizens were emboldened by his gentle and gracious demeanour. By the union of liberality and justice he acquired the love of the soldiers, without alienating the affections of the people. The sick and wounded were relieved with medicines and money, and still more efficaciously by the healing visits and smiles of their commander. He was endeared to the husbandmen by the peace and plenty which they enjoyed under the shadow of his standard. Instead of being injured, the country was enriched by the march of the Roman armies; and such was the rigid discipline of their camp, that not an apple was gathered from the tree, not a path could be traced in the fields of corn. Belisarius was chaste and sober. In the licence of a military life, none could boast that they had seen him intoxicated with wine; and the husband of Antonina was never suspected of violating the laws of conjugal fidelity. The spectator and historian of his exploits has observed that amidst the perils of war he was daring without rashness, prudent without fear, slow or rapid according to the exigencies of the moment; that in the deepest distress he was animated by real or apparent hope, but that he was modest and humble in the most prosperous fortune. By these virtues he equalled or excelled the ancient masters of the military art. Victory, by sea and land, attended his arms. He subdued Africa, Italy, and the adjacent islands; led away captives the successors of Genseric and Theodoric; filled Constantinople with the spoils of their palaces; and in the space of six years recovered half the provinces of the Western empire. In his fame and merit, in wealth and power, he remained without a rival, the first of the Roman subjects; the voice of envy could only magnify his dangerous importance, and the emperor might applaud his own discerning spirit, which had discovered and raised the genius of Belisarius.

[Hodgkin, *Italy and her Invaders*, bk. iv. cc. 15 and 16, bk. v. cc. 1–13; Bury, *History of the Later Roman Empire*, bk. iv. c. 5; Ranke, *Weltgeschichte*, IV. ii. c. 16, and c. 20; Finlay, *History of Greece*, ch. iii. §§ 5 and 6.]



Bridge over the Teverone, near Rome, rebuilt by Narses, A.D. 565.

## CHAPTER XXII.

### REIGN OF JUSTINIAN. PERSIAN WAR. REVOLT AND RECOVERY OF ITALY.

§ 1. Accession of Chosroes: he invades Syria. § 2. Defence of the East by Belisarius. § 3. The Colchian or Lazic War: peace between Justinian and Chosroes. § 4. Disgrace and submission of Belisarius. § 5. Revolt of the Goths: victories of Totila, King of Italy. § 6. Second command of Belisarius in Italy: Rome taken by the Goths. § 7. Recovered by Belisarius. § 8. Final recall of Belisarius. § 9. Rome again taken by the Goths. § 10. The eunuch Narses appointed to the command of the Gothic War. § 11. Defeat and death of Totila: conquest of Rome by Narses. § 12. Defeat and death of Teias, the last king of the Goths. § 13. Invasion of Italy by the Franks and Alemanni: their defeat by Narses. § 14. Settlement of Italy. § 15. Invasions of the Bulgarians and Slavonians. § 16. Defeat of the Bulgarians by Belisarius. § 17. Disgrace and death of Belisarius. § 18. Death and character of Justinian. § 19. Comets, earthquakes, and plague.

Accession of Chosroes: he invades Syria.

§ 1. CABADES, or Kobad, was succeeded on the throne of Persia by his third and most favoured son, so famous under the names of Chosroes (Khosrau) and Nushirvan (Anosharvan).* He filled

* *i.e.* "the Blessed."

that throne during a prosperous period of 48 years (A.D. 531–579); and the JUSTICE of Nushirvan is celebrated as the theme of immortal praise by the nations of the East. He found his kingdom involved in a war with the successor of Constantine; and the anxiety of his domestic situation inclined him to grant the suspension of arms which Justinian was impatient to purchase. Chosroes accepted 11,000 pounds of gold as the price of an *endless* or indefinite peace (A.D. 532).* This interval of repose was diligently improved by the ambition of the emperor; but the trophies of Belisarius disturbed the slumbers of the Great King: and he heard with astonishment, envy, and fear, that Africa, Sicily, Italy, and Rome itself, had been reduced to the obedience of Justinian. Disregarding the treaty, which he had concluded with Justinian eight years previously, Chosroes placed himself at the head of a formidable army, and advanced into the heart of Syria (A.D. 540). A feeble enemy, who vanished at his approach, disappointed him of the honour of victory; and as he could not hope to establish his dominion, the Persian king displayed in this inroad the mean and rapacious vices of a robber. Hierapolis, Berœa (Aleppo), Apamea and Chalcis, were successively besieged, and redeemed their safety by a ransom of gold or silver proportioned to their respective strength and opulence. Antioch, which disdained the offers of an easy capitulation, was taken by assault, its inhabitants carried away as prisoners, and its buildings delivered to the flames. Chosroes at length slowly returned to the Euphrates, fatigued though unsatiated with the spoil of Syria. Palestine and the holy wealth of Jerusalem were the next objects that attracted the ambition, or rather the avarice, of Chosroes. Constantinople and the palace of the Cæsars no longer appeared impregnable or remote; and his aspiring fancy already covered Asia Minor with the troops, and the Black Sea with the navies, of Persia.

Defence of the East by Belisarius.

§ 2. These hopes might have been realised, if the conqueror of Italy had not been seasonably recalled to the defence of the East. His firm attitude on the banks of the Euphrates restrained Chosroes from advancing towards Palestine; and he received with art and dignity the ambassadors, or rather spies, of the Persian monarch. Chosroes was deluded by the address, and awed by the genius, of the lieutenant of Justinian. The great king hastened to repass the Euphrates; and Belisarius pressed his retreat, by affecting to oppose a measure so salutary to the empire, and which could scarcely have been prevented by an army of a hundred thousand men. Envy might suggest to ignorance and pride that the public enemy had been suffered to escape: but the African and Gothic triumphs are less glorious than this safe and bloodless victory, in which neither fortune nor the valour of the soldiers can subtract any part of the general's renown (A.D. 542). The second removal of Belisarius from the Persian to the Italian war revealed the extent of his

* See ch. xxi. § 1.

personal merit. Fifteen generals, without concert or skill, led through the mountains of Armenia an army of 30,000 Romans, which were vanquished, almost without a combat, by 4000 Persians. But the Arabs of the Roman party prevailed over their brethren; the Armenians returned to their allegiance; the cities of Dara and Edessa resisted a sudden assault and a regular siege, and the calamities of war were suspended by those of pestilence. A tacit or formal agreement between the two sovereigns protected the tranquillity of the Eastern frontier (A.D. 545); and the arms of Chosroes were confined to the Colchian or Lazic war.

The Colchian or Lazic War: peace between Justinian and Chosroes.

§ 3. This war has been minutely described by the historians of the times; but the tedious warfare and alternate success of the Roman and Persian arms cannot detain the attention of posterity at the foot of Mount Caucasus.* The Lazi, who had imposed their name and dominion on the ancient kingdom of Colchis, had been converted to Christianity (A.D. 520), and were in consequence led to seek the alliance of the emperor Justin. Illtreated by their new allies, the Lazi solicited the friendship and aid of Chosroes. But they soon discovered that their impatience had urged them to choose an evil more intolerable than the calamities which they strove to escape. The authority of a Roman legislator was succeeded by the pride of an Oriental despot, who beheld with equal disdain the slaves whom he had exalted, and the kings whom he had humbled before the footstool of his throne. The adoration of fire was introduced into Colchis by the zeal of the Magi, their intolerant spirit provoked the fervour of a Christian people, and the Lazi implored the forgiveness and assistance of the Romans. Justinian sent an army into Colchis; and this mountainous country became the theatre of war between the Roman and Persian monarchies. Many years of fruitless desolation elapsed before Justinian and Chosroes were compelled by mutual lassitude to consult the repose of their declining age. Chosroes was persuaded to renounce his dangerous claim to the possession or sovereignty of Colchis and its dependent states. But he extorted from the Romans an annual payment of 30,000 pieces of gold; and the smallness of the sum revealed the disgrace of a tribute in its naked deformity (A.D. 562).

Disgrace and submission of Belisarius.

§ 4. During the Persian campaign the malady of Justinian had countenanced the rumour of his death; Belisarius, on the supposition of that probable event, spoke the free language of a citizen and a soldier;† and the Roman general was recalled to Constantinople on the plea that the sinking state of Italy would

* This war has also been minutely described by Bury (*History of the Later Roman Empire*, bk. vi. cc. 8 and 9).

† The utterance was to the effect that if "the Romans" (*i.e.* practically court influence) created another emperor in Constantinople, the army would not permit the choice ([Procopius] *Anecdota*, c. 4); on the general situation, see Ranke, *Weltgeschichte*, IV. ii. c. 17.

be retrieved by the single presence of the conqueror. But no sooner had he returned than an hostile commission was sent to the East to seize his treasures and criminate his actions; the guards and veterans who followed his private banner were distributed among the chiefs of the army, and even the eunuchs presumed to cast lots for the partition of his martial domestics. When he passed with a small and sordid retinue through the streets of Constantinople, his forlorn appearance excited the amazement and compassion of the people. Justinian and Theodora received him with cold ingratitude, the servile crowd with insolence and contempt; and in the evening he retired with trembling steps to his deserted palace. An indisposition, feigned or real, had confined Antonina to her apartment; and she walked disdainfully silent in the adjacent portico, while Belisarius threw himself on his bed, and expected, in an agony of grief and terror, the death which he had so often braved under the walls of Rome. Long after sunset a messenger was announced from the empress: he opened with anxious curiosity the letter which contained the sentence of his fate. "You cannot be ignorant how much you have deserved my displeasure. I am not insensible of the services of Antonina. To her merits and intercession I have granted your life, and permit you to retain a part of your treasures, which might be justly forfeited to the state. Let your gratitude where it is due be displayed, not in words, but in your future behaviour." I know not how to believe or to relate the transports with which the hero is said to have received this ignominious pardon. He fell prostrate before his wife, he kissed the feet of his saviour, and he devoutly promised to live the faithful and submissive slave of Antonina. A fine of 120,000*l.** was levied on the fortunes of Belisarius; and with the office of count, or master of the royal stables,† he accepted the conduct of the Italian war. At his departure from Constantinople his friends, and even the public, were persuaded that as soon as he regained his freedom he would renounce his dissimulation: and that his wife, Theodora, and perhaps the emperor himself, would be sacrificed to the just revenge of a virtuous rebel. Their hopes were deceived; and the unconquerable patience and loyalty of Belisarius appear either *below* or *above* the character of a MAN.

Revolt of the Goths: victories of Totila, King of Italy.

§ 5. During the absence of Belisarius in the East, Justinian had lost his recent acquisitions in Africa and Italy. After many years of anarchy, which it would be tedious to recount, the province of Africa was again brought under the dominion of Justinian; and the Roman emperors continued to reign above a century over Carthage and the fruitful coast of the Mediterranean. But the revolt of Italy and its recovery by Narses are more worthy of our attention, and deserve a fuller narrative. The jealousy of the Byzantine court had not permitted Belisarius to achieve the conquest of Italy; and his abrupt departure

* 3000 pounds of gold. † *Comes stabuli.*

revived the courage of the Goths, who respected his genius, his virtue, and even the laudable motive which had urged the servant of Justinian to deceive and reject them. They had lost their king (an inconsiderable loss), their capital, their treasures, the provinces from Sicily to the Alps, and the military force of 200,000 barbarians, magnificently equipped with horses and arms. Yet all was not lost as long as Pavia was defended by 1000 Goths, inspired by a sense of honour, the love of freedom, and the memory of their past greatness; and Totila, the nephew of the late king,* accepted the vacant throne, and generously undertook the restoration of the kingdom of Italy. His success was rapid, and the incompetent successors of Belisarius fled before his arms. Totila traversed the Apennines, suspended the important conquest of Ravenna, Florence, and Rome, and marched through the heart of Italy to form the siege, or rather the blockade of Naples. The Roman chiefs, imprisoned in their respective cities and accusing each other of the common disgrace, did not presume to disturb his enterprise. After the reduction of Naples, the provinces of Lucania, Apulia, and Calabria submitted to the king of the Goths. Totila led his army to the gates of Rome, pitched his camp at Tibur or Tivoli, within twenty miles of the capital, and calmly exhorted the senate and people to compare the tyranny of the Greeks with the blessings of the Gothic reign. The rapid success of Totila may be partly ascribed to the revolution which three years' experience had produced in the sentiments of the Italians. At the command, or at least in the name, of a catholic emperor, the pope Silverius, their spiritual father, had been torn from the Roman church, and either starved or murdered on a desolate island. The virtues of Belisarius were replaced by the various or uniform vices of eleven chiefs at Rome, Ravenna, Florence, Perugia, Spoleto, etc., who abused their authority for the indulgence of lust or avarice. The improvement of the revenue was committed to Alexander, a subtle scribe, long practised in the fraud and oppression of the Byzantine schools. Instead of expecting the restoration of peace and industry, he imposed a heavy assessment on the fortunes of the Italians. Yet his present or future demands were less odious than a prosecution of arbitrary rigour against the persons and property of all those who, under the Gothic kings, had been concerned in the receipt and expenditure of the public money. The subjects of Justinian who escaped these partial vexations were oppressed by the irregular maintenance of the soldiers, whom Alexander defrauded and despised, and their hasty sallies in quest of wealth or subsistence provoked the inhabitants of the country to await or implore their deliverance from the virtues of a barbarian.

* The late king was Ildibad, who had been elected by the Goths after the capture of Vitiges. Totila's name appears on his own coins as Baduila. See Sabatier (J.), *Description générale des monnaies Byzantines*, Pl. xix. n. 9.

Totila was chaste and temperate, and none were deceived, either friends or enemies, who depended on his faith or his clemency. The Roman captives and deserters were tempted to enlist in the service of a liberal and courteous adversary, the slaves were attracted by the firm and faithful promise that they should never be delivered to their masters; and from the thousand warriors of Pavia a new people, under the same appellation of Goths, was insensibly formed in the camp of Totila.

Second command of Belisarius in Italy: Rome taken by the Goths.

§ 6. The return of Belisarius to save the country which he had subdued, was pressed with equal vehemence by his friends and enemies, and the Gothic war was imposed as a trust or an exile on the veteran commander. A hero on the banks of the Euphrates, a slave in the palace of Constantinople, he accepted with reluctance the painful task of supporting his own reputation and retrieving the faults of his successors. He came without troops, and he soon discovered that he was sent to remain the idle and impotent spectator of the glory of a young barbarian. An officer in whom Belisarius confided was despatched from Ravenna to hasten and conduct the succours, but the message was neglected, and the messenger was detained at Constantinople by an advantageous marriage. After his patience had been exhausted by delay and disappointment, the Roman general repassed the Adriatic, and expected at Dyrrachium the arrival of the troops, which were slowly assembled among the subjects and allies of the empire. His powers were still inadequate to the deliverance of Rome, which was closely besieged by the Gothic king. The Appian Way, a march of forty days, was covered by the barbarians; and as the prudence of Belisarius declined a battle, he preferred the safe and speedy navigation of five days from the coast of Epirus to the mouth of the Tiber. After reducing, by force or treaty, the towns of inferior note in the midland provinces of Italy, Totila proceeded, not to assault, but to encompass and starve, the ancient capital (end of A.D. 545). Rome was afflicted by the avarice, and guarded by the valour, of Bessas, a veteran chief of Gothic extraction, who filled, with a garrison of 3000 soldiers, the spacious circle of her venerable walls. From the distress of the people he extracted a profitable trade, and secretly rejoiced in the continuance of the siege. He imparted a scanty sustenance to the soldiers, and sold the remainder to the wealthy Romans. A tasteless and unwholesome mixture, in which the bran thrice exceeded the quantity of flour, appeased the hunger of the poor; they were gradually reduced to feed on dead horses, dogs, cats, and mice, and eagerly to snatch the grass and even nettles which grew among the ruins of the city. Belisarius, who had landed at the *port*,* made a vain attempt to relieve the city; and after this failure Rome was left without protection to the mercy or indignation of Totila. Four

* I.e. *Portus Augusti*, on the right bank of the Tiber, north of the town of Ostia.

Isaurian sentinels introduced the Goths into the town, and Bessas, with his troops, retired without offering any opposition (A.D. 546, Dec. 17). The lives of the Romans were spared, but the Goths were rewarded by the freedom of pillage; and against the city itself, which had so long delayed the course of his victories, Totila appeared inexorable. One-third of the walls, in different parts, was demolished by his command; fire and engines prepared to consume or subvert the most stately works of antiquity; and the world was astonished by the fatal decree that Rome was to be changed into a pasture for cattle. The firm and temperate remonstrance of Belisarius suspended the execution; he warned the barbarian not to sully his fame by the destruction of those monuments which were the glory of the dead and the delight of the living; and Totila was persuaded, by the advice of an enemy, to preserve Rome as the ornament of his kingdom, or the fairest pledge of peace and reconciliation. When he had signified to the ambassadors of Belisarius his intention of sparing the city, he stationed an army at the distance of 120 furlongs, to observe the motions of the Roman general. With the remainder of his forces he marched into Lucania and Apulia. The senators were dragged in his train, and afterwards confined in the fortresses of Campania; the citizens, with their wives and children, were dispersed in exile; and during forty days Rome was abandoned to desolate and dreary solitude.

Recovered by Belisarius.

§ 7. The loss of Rome was speedily retrieved by an action to which, according to the event, the public opinion would apply the names of rashness or heroism. After the departure of Totila, the Roman general sallied from the port at the head of a thousand horse, cut in pieces the enemy who opposed his progress, and visited with pity and reverence the vacant space of the *eternal* city (A.D. 547, February). Resolved to maintain a station so conspicuous in the eyes of mankind, he summoned the greatest part of his troops to the standard which he erected on the Capitol: the old inhabitants were recalled by the love of their country and the hopes of food; and the keys of Rome were sent a second time to the emperor Justinian. The walls, as far as they had been demolished by the Goths, were repaired with rude and dissimilar materials; the ditch was restored; iron spikes were profusely scattered in the highways to annoy the feet of the horses; and as new gates could not suddenly be procured, the entrance was guarded by a Spartan rampart of his bravest soldiers. At the expiration of 25 days Totila returned by hasty marches from Apulia to avenge the injury and disgrace. Belisarius expected his approach. The Goths were thrice repulsed in three general assaults; they lost the flower of their troops; the royal standard had almost fallen into the hands of the enemy, and the fame of Totila sunk as it had risen, with the fortune of his arms. Whatever skill and courage could achieve had been performed by the Roman general: it remained only that Justinian should terminate, by a strong and seasonable effort, the war

which he had ambitiously undertaken. The indolence, perhaps the impotence, of a prince who despised his enemies and envied his servants, protracted the calamities of Italy. After a long silence Belisarius was commanded to leave a sufficient garrison at Rome, and to transport himself into the province of Lucania, whose inhabitants, inflamed by catholic zeal, had cast away the yoke of their Arian conquerors. In this ignoble warfare the hero, invincible against the power of the barbarians, was basely vanquished by the delay, the disobedience, and the cowardice of his own officers. The conqueror of Italy continued to languish, inglorious and inactive, till Antonina, who had been sent to Constantinople to solicit succours, obtained, after the death of the empress, the permission of his return.

Final recall of Belisarius.

§ 8. The five last campaigns of Belisarius (A.D. 544–548) might abate the envy of his competitors, whose eyes had been dazzled and wounded by the blaze of his former glory. Instead of delivering Italy from the Goths, he had wandered like a fugitive along the coast, without daring to march into the country, or to accept the bold and repeated challenge of Totila. Yet in the judgment of the few who could discriminate counsels from events, and compare the instruments with the execution, he appeared a more consummate master of the art of war than in the season of his prosperity, when he presented two captive kings before the throne of Justinian. The valour of Belisarius was not chilled by age; his prudence was matured by experience; but the moral virtues of humanity and justice seem to have yielded to the hard necessity of the times. The parsimony or poverty of the emperor compelled him to deviate from the rule of conduct which had deserved the love and confidence of the Italians. The war was maintained by the oppression of Ravenna, Sicily, and all the faithful subjects of the empire. The avarice of Antonina, which had been sometimes diverted by love, now reigned without a rival in her breast. Belisarius himself had always understood that riches, in a corrupt age, are the support and ornament of personal merit. And it cannot be presumed that he should stain his honour for the public service, without applying a part of the spoil to his private emolument. Belisarius reposed from his toils, in the station of count of the domestics; and the older consuls and patricians respectfully yielded the precedency of rank to the peerless merit of the first of the Romans.

Rome again taken by the Goths.

§ 9. Before the departure of Belisarius Perusia was besieged, and few cities were impregnable to the Gothic arms. Ravenna, Ancona, and Crotona still resisted the barbarians; and when Totila asked in marriage one of the daughters of France,* he was stung by the just reproach that the king of Italy was unworthy of his title till it was acknowledged by the Roman people. Totila again laid siege to Rome, and the city was a second time betrayed to the Goths by the treachery of some Isaurian troops

* *I.e.* of Theodebert, king of the Franks, who was his ally.

(A.D. 549). Totila no longer entertained a wish of destroying the edifices of Rome, which he now respected as the seat of the Gothic kingdom; the senate and people were restored to their country; the means of subsistence were liberally provided; and Totila, in the robe of peace, exhibited the equestrian games of the circus. Whilst he amused the eyes of the multitude, 400 vessels were prepared for the embarkation of his troops. The cities of Rhegium and Tarentum were reduced; he passed into Sicily, the object of his implacable resentment; and the island was stripped of its gold and silver, of the fruits of the earth, and of an infinite number of horses, sheep and oxen. Sardinia and Corsica obeyed the fortune of Italy; and the sea-coast of Greece was visited by a fleet of 300 galleys. The Goths were landed in Corcyra and the ancient continent of Epirus; they advanced as far as Nicopolis, the trophy of Augustus,* and Dodona, once famous by the oracle of Jove. In every step of his victories the wise barbarian repeated to Justinian his desire of peace, applauded the concord of their predecessors, and offered to employ the Gothic arms in the service of the empire.

§ 10. Justinian was deaf to the voice of peace, but he neglected the prosecution of war; and the indolence of his temper disappointed, in some degree, the obstinacy of his passions. From this salutary slumber the emperor was awakened by the pope Vigilius and the patrician Cethegus, who appeared before his throne, and adjured him, in the name of God and the people, to resume the conquest and deliverance of Italy.† After the death of Germanus, the nephew of the emperor, to whom the war had been first entrusted, the nations were provoked to smile by the strange intelligence that the command of the Roman armies was given to an eunuch. But the eunuch Narses is ranked among the few who have rescued that unhappy name from the contempt and hatred of mankind. A feeble, diminutive body concealed the soul of a statesman and a warrior. His youth had been employed in the management of the loom and distaff, in the cares of the household, and the service of female luxury; but while his hands were busy, he secretly exercised the faculties of a vigorous and discerning mind. A stranger to the schools and the camp, he studied in the palace to dissemble, to flatter, and to persuade; and as soon as he approached the person of the emperor, Justinian listened with surprise and pleasure to the manly counsels of his chamberlain and private treasurer. The talents of Narses were tried and improved in frequent embassies: he led an army into Italy, during the first command of Belisarius, and acquired a practical knowledge of the war and the country. Twelve years after his return the eunuch was chosen to achieve

The eunuch Narses appointed to the command of the Gothic War.

* Nicopolis was founded by Augustus in commemoration of the victory of Actium. It was intended to be the capital of Western Greece—a promise that it did not fulfil.

† The conclusion of the truce with Chosroes (§ 2) also gave Justinian the opportunity of devoting all his energies to the recovery of the West.

the conquest which had been left imperfect by the first of the Roman generals. Instead of being dazzled by vanity or emulation, he seriously declared that, unless he were armed with an adequate force, he would never consent to risk his own glory and that of his sovereign. Justinian granted to the favourite what he might have denied to the hero: the Gothic war was rekindled from its ashes, and the preparations were not unworthy of the ancient majesty of the empire. The key of the public treasure was put into his hand to collect magazines, to levy soldiers, to purchase arms and horses, to discharge the arrears of pay, and to tempt the fidelity of the fugitives and deserters. Absolute in the exercise of his authority, more absolute in the affection of his troops, Narses led a numerous and gallant army from Philippopolis to Salona, from whence he coasted the eastern side of the Adriatic as far as the confines of Italy. His progress was checked. The East could not supply vessels capable of transporting such multitudes of men and horses. In this perplexity an officer of experience proposed a measure, secure by the appearance of rashness, that the Roman army should cautiously advance along the sea-shore, while the fleet preceded their march, and successively cast a bridge of boats over the mouths of the rivers, the Timavus, the Brenta, the Adige, and the Po, that fall into the Adriatic to the north of Ravenna. Nine days he reposed in the city, collected the fragments of the Italian army, and marched towards Rimini to meet the defiance of an insulting enemy.

Defeat and death of Totila: conquest of Rome by Narses.

§ 11. The prudence of Narses impelled him to speedy and decisive action. His powers were the last effort of the state; the cost of each day accumulated the enormous account, and the nations, untrained to discipline or fatigue, might be rashly provoked to turn their arms against each other, or against their benefactor. The same considerations might have tempered the ardour of Totila. But he was conscious that the clergy and people of Italy aspired to a second revolution: he felt or suspected the rapid progress of treason, and he resolved to risk the Gothic kingdom on the chance of a day, in which the valiant would be animated by instant danger, and the disaffected might be awed by mutual ignorance. In his march from Ravenna the Roman general chastised the garrison of Rimini, traversed in a direct line the hills of Urbino, and re-entered the Flaminian Way, nine miles beyond the perforated rock, an obstacle of art and nature which might have stopped or retarded his progress. The Goths were assembled in the neighbourhood of Rome, they advanced without delay to seek a superior enemy, and the two armies approached each other at the distance of 100 furlongs, between Tagina and the sepulchres of the Gauls.* The Goths

* *Busta Gallorum*, in Umbria, derives its name from the victory of the Romans over the Gauls and Samnites at Sentinum in 295 B.C. (Livy, x. 28 and 29). Tagina, to the south of Sentinum and also in Umbria, was a village between Helvillum and the Forum Flaminii.

were defeated with great slaughter, and Totila was slain as he fled from the battle (A.D. 552, July). This victory was followed by the capture of Rome; and Justinian once more received the keys of the city, which, under his reign, had been *five* times taken and recovered. The fate of the senate suggests an awful lesson of the vicissitude of human affairs. Of the senators whom Totila had banished from their country, some were rescued by an officer of Belisarius and transported from Campania to Sicily, while others were too guilty to confide in the clemency of Justinian, or too poor to provide horses for their escape to the sea-shore. Their brethren languished five years in a state of indigence and exile: the victory of Narses revived their hopes; but their premature return to the metropolis was prevented by the furious Goths, and all the fortresses of Campania were stained with patrician blood. After a period of thirteen centuries the institution of Romulus expired; and, if the nobles of Rome still assumed the title of senators, few subsequent traces can be discovered of a public council or constitutional order. Ascend six hundred years, and contemplate the kings of the earth soliciting an audience, as the slaves or freedmen of the Roman senate!

Defeat and death of Teias, the last king of the Goths.

§ 12. The Gothic war was yet alive. The bravest of the nation retired beyond the Po, and Teias was unanimously chosen to succeed and revenge their departed hero. The new king immediately sent ambassadors to implore, or rather to purchase, the aid of the Franks, and nobly lavished for the public safety the riches which had been deposited in the palace of Pavia. The residue of the royal treasure was guarded by his brother Aligern, at Cumæ in Campania; but the strong castle which Totila had fortified was closely besieged by the arms of Narses. From the Alps to the foot of Mount Vesuvius, the Gothic king by rapid and secret marches advanced to the relief of his brother, eluded the vigilance of the Roman chiefs, and pitched his camp on the banks of the Sarnus or *Draco*, which flows from Nuceria into the bay of Naples. The Goths were again defeated, Teias, their last king, was slain in the battle (A.D. 553), and Aligern, after defending Cumæ above a year against the forces of the Romans, at length surrendered to Narses.

Invasion of Italy by the Franks and Alemanni: their defeat by Narses.

§ 13. After the death of Teias, Italy was overwhelmed by a new deluge of barbarians. A feeble youth, the grandson of Clovis, reigned over the Austrasians or Oriental Franks. The guardians of Theodebald entertained with coldness and reluctance the magnificent promises of the Gothic ambassadors. But the spirit of a martial people outstripped the timid counsels of the court: two brothers, Lothair (Leutharis) and Bucelin, the dukes of the Alemanni, stood forth as the leaders of the Italian war, and 75,000 Germans descended in the autumn (A.D. 553) from the Rhætian Alps into the plain of Milan. The conqueror of Italy opened a free passage to the irresistible torrent of

barbarians, who plundered the peninsula without resistance as far as Rhegium and Otranto. Bucelin was actuated by ambition, and Lothair by avarice. The former aspired to restore the Gothic kingdom, the latter, after a promise to his brother of speedy succours, returned by the same road to deposit his treasure beyond the Alps. But the strength of their armies was already wasted by the change of climate and contagion of disease; the Germans revelled in the vintage of Italy, and their own intemperance avenged in some degree the miseries of a defenceless people. At the entrance of the spring (A.D. 554) the Imperial troops who had guarded the cities assembled, to the number of 18,000 men, in the neighbourhood of Rome. Their winter hours had not been consumed in idleness. By the command and after the example of Narses, they repeated each day their military exercise on foot and on horseback, accustomed their ear to obey the sound of the trumpet, and practised the steps and evolutions of the Pyrrhic dance. From the straits of Sicily, Bucelin with 30,000 Franks and Alemanni slowly moved towards Capua, occupied with a wooden tower the bridge of Casilinum, and covered his right by the stream of the Vulturnus. He impatiently expected the return of Lothair; ignorant, alas! that his brother could never return, and that the chief and his army had been swept away by a strange disease on the banks of the lake Benacus, between Trent and Verona. The banners of Narses soon approached the Vulturnus, and the eyes of Italy were anxiously fixed on the event of this final contest. Perhaps the talents of the Roman general were most conspicuous in the calm operations which precede the tumult of a battle. His skilful movements intercepted the subsistence of the barbarian, deprived him of the advantage of the bridge and river, and in the choice of the ground and moment of action reduced him to comply with the inclination of his enemy. Narses gained another signal victory; and Bucelin and the greatest part of his army perished on the field of battle, in the waters of the Vulturnus, or by the hands of the enraged peasants. After the battle of Casilinum Narses entered the capital; the arms and treasures of the Goths, the Franks, and the Alemanni were displayed; his soldiers, with garlands in their hands, chanted the praises of the conqueror; and Rome for the last time beheld the semblance of a triumph.

Settlement of Italy.

§ 14. After a reign of 60 years the throne of the Gothic kings was filled by the exarchs of Ravenna, the representatives in peace and war of the emperor of the Romans. Their jurisdiction was soon reduced to the limits of a narrow province; but Narses himself, the first and most powerful of the exarchs, administered above 14 years the entire kingdom of Italy (A.D. 554–568). Like Belisarius, he had deserved the honours of envy, calumny, and disgrace: but the favourite eunuch still enjoyed the confidence of Justinian; or the leader of a victorious army awed and repressed the ingratitude of a timid court. The

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remains of the Gothic nation evacuated the country, or mingled with the people; and the Franks, instead of revenging the death of Bucelin, abandoned, without a struggle, their Italian conquests. The civil state of Italy, after the agitation of a long tempest, was fixed by a pragmatic sanction,* which the emperor promulgated at the request of the pope (August 13, A.D. 554). Justinian introduced his own jurisprudence into the schools and tribunals of the West: he ratified the acts of Theodoric and his immediate successors, but every deed was rescinded and abolished which force had extorted or fear had subscribed under the usurpation of Totila. Under the exarchs of Ravenna, Rome was degraded to the second rank. Yet the senators were gratified by the permission of visiting their estates in Italy, and of approaching without obstacle the throne of Constantinople: the regulation of weights and measures was delegated to the pope and senate; and the salaries of lawyers and physicians, of orators and grammarians, were destined to preserve or rekindle the light of science in the ancient capital. Justinian might dictate benevolent edicts, and Narses might second his wishes by the restoration of cities, and more especially of churches. But the power of kings is most effectual to destroy: and the 20 years of the Gothic war had consummated the distress and depopulation of Italy. As early as the fourth campaign, under the discipline of Belisarius himself, 50,000 labourers died of hunger in the narrow region of Picenum; and a strict interpretation of the evidence of Procopius would swell the loss of Italy above the total sum of her present inhabitants.

§ 15. I desire to believe, but I dare not affirm, that Belisarius sincerely rejoiced in the triumph of Narses. Yet the consciousness of his own exploits might teach him to esteem, without jealousy, the merit of a rival; and the repose of the aged warrior was crowned by a last victory, which saved the emperor and the capital. Invasions of the Bulgarians and Slavonians.

The European provinces of Justinian's empire were annually devastated by the BULGARIANS and the SLAVONIANS, who dwelt or wandered in the plains of Russia, Lithuania, and Poland. They sometimes united their forces for the plunder of the Roman provinces; and, while Justinian exulted in the glorious act of restoring Africa and Italy to the republic, he trembled for the safety of Constantinople. The same year, and possibly the same month, in which Ravenna surrendered, was marked by an invasion of the Bulgarians, so dreadful that it almost effaced the memory of their past inroads.† They

* *Sanctio pragmatica.* A rescript of the emperor bore this name "when applied and addressed to corporations, communities, and provinces, or when it concerned the service of the state" (Willems, *Le droit public Romain*, p. 553). This particular pragmatic sanction will be found at the end of Schöll and Kroll's edition of the Novellæ of Justinian (1895), Appendix vi.

† The "Bulgarians" of the text are described by Agathias (v. 11) as "Cotrigur Huns" (equivalent to the "Coturgur Huns" of Procopius,

spread from the suburbs of Constantinople to the Ionian Gulf, destroyed 32 cities or castles, and repassed the Danube, dragging at their horses' heels 120,000 of the subjects of Justinian. In a subsequent inroad they pierced the wall of the Thracian Chersonesus, extirpated the habitations and the inhabitants, boldly traversed the Hellespont, and returned to their companions laden with the spoils of Asia. Another party, which seemed a multitude in the eyes of the Romans, penetrated without opposition from the straits of Thermopylæ to the isthmus of Corinth; and the last ruin of Greece has appeared an object too minute for the attention of history. The works which the emperor raised for the protection, but at the expense of, his subjects, served only to disclose the weakness of some neglected part; and the walls, which by flattery had been deemed impregnable, were either deserted by the garrison or scaled by the barbarians.

Defeat of the Bulgarians by Belisarius.

§ 16. In the 32nd winter of Justinian's reign (A.D. 559) the Danube was deeply frozen; Zabergan led the cavalry of the Bulgarians, and his standard was followed by a promiscuous multitude of Slavonians. The savage chief passed, without opposition, the river and the mountains, spread his troops over Macedonia and Thrace, and advanced with no more than 7000 horse to the long walls which should have defended the territory of Constantinople. But the works of man are impotent against the assaults of nature: a recent earthquake had shaken the foundations of the walls; and the forces of the empire were employed on the distant frontiers of Italy, Africa, and Persia. The tents of Zabergan were pitched at the distance of 20 miles from the city, on the banks of a small river which encircles Melantias and afterwards falls into the Propontis. Justinian trembled: by his command the vessels of gold and silver were removed from the churches in the neighbourhood, and even the suburbs, of Constantinople: the ramparts were lined with trembling spectators; the golden gate was crowded with useless generals and tribunes; and the senate shared the fatigues and the apprehensions of the populace. But the eyes of the prince and people were directed to a feeble veteran, who was compelled by the public danger to resume the armour in which he had entered Carthage and defended Rome. The horses of the royal stables, of private citizens, and even of the circus, were hastily collected; the emulation of the old and young was roused by the name of Belisarius, and his first encampment was in the presence of a victorious enemy. The next morning the Bulgarian cavalry advanced to the charge. But they heard the shouts of

*Bellum Gothicum*, iv. 18). These, with the "Utrigur," or "Uturgur" Huns, were a Ugro-Finnic race, akin to the ancient Bulgarians [Zeuss, indeed, thinks that *Bulgari* is only a collective name for these Huns (*Die Deutschen und die Nachbarstämme*, pp. 710, 715)], but distinct from the Slavonic Bulgarians of the present day. Yet it is said that the physical type of the modern Bulgarians still preserves traces of a Finnish origin.

multitudes, they beheld the arms and discipline of the front;* they were assaulted on the flanks by two ambuscades which rose from the woods; their foremost warriors fell by the hand of the aged hero and his guards; and the swiftness of their evolutions was rendered useless by the close attack and rapid pursuit of the Romans. In this action (so speedy was their flight) the Bulgarians lost only 400 horse: but Constantinople was saved: and Zabergan, who felt the hand of a master, withdrew to a respectful distance. But his friends were numerous in the councils of the emperor, and Belisarius obeyed with reluctance the commands of envy and Justinian, which forbade him to achieve the deliverance of his country. On his return to the city, the people, still conscious of their danger, accompanied his triumph with acclamations of joy and gratitude, which were imputed as a crime to the victorious general. But when he entered the palace the courtiers were silent, and the emperor, after a cold and thankless embrace, dismissed him to mingle with the train of slaves.

Disgrace and death of Belisarius.

§ 17. About four years after the last victory of Belisarius, a conspiracy was formed against the life of Justinian. One of the conspirators accused two officers of the household of Belisarius, and torture forced them to declare that they had acted according to the secret instructions of their patron. Posterity will not hastily believe that a hero who in the vigour of life had disdained the fairest offers of ambition and revenge should stoop to the murder of his prince, whom he could not long expect to survive. His followers were impatient to fly; but flight must have been supported by rebellion, and he had lived enough for nature and for glory. Belisarius appeared before the council with less fear than indignation: after forty years' service the emperor had prejudged his guilt; and injustice was sanctified by the presence and authority of the patriarch. The life of Belisarius was graciously spared, but his fortunes were sequestered; and, from December to July, he was guarded as a prisoner in his own palace (A.D. 563–564). At length his innocence was acknowledged; his freedom and honours were restored; and death, which might be hastened by resentment and grief, removed him from the world about eight months after his deliverance (A.D. 565). The name of Belisarius can never die: but, instead of the funeral, the monuments, the statues, so justly due to his memory, I only read that his treasures, the spoils of the Goths and Vandals, were immediately confiscated by the emperor. Some decent portion was reserved, however, for the use of his widow: and, as Antonina had much to repent, she devoted the last remains of her life and fortune to the

* The front consisted of 300 fully armed and disciplined men who had fought with Belisarius in Italy; the rear was made up of a mixed multitude of peasants, who, by their shouts, might give an appearance of numbers; the ambuscades on the flanks were to prevent the barbarians from deploying. See Agathias, v. 19.

foundation of a convent. Such is the simple and genuine narrative of the fall of Belisarius, and the ingratitude of Justinian. That he was deprived of his eyes, and reduced by envy to beg his bread, "Give a penny to Belisarius the general!" is a fiction of later times, which has obtained credit, or rather favour, as a strange example of the vicissitudes of fortune.*

Death and character of Justinian.

§ 18. If the emperor could rejoice in the death of Belisarius, he enjoyed the base satisfaction only eight months, the last period of a reign of 38 and a life of 83 years (A.D. 565, Nov. 14). It would be difficult to trace the character of a prince who is not the most conspicuous object of his own times: but the confessions of an enemy may be received as the safest evidence of his virtues. The resemblance of Justinian to the bust of Domitian is maliciously urged, with the acknowledgment, however, of a well-proportioned figure, a ruddy complexion, and a pleasing countenance. The emperor was easy of access, patient of hearing, courteous and affable in discourse, and a master of the angry passions which rage with such destructive violence in the breast of a despot. Procopius praises his temper, to reproach him with calm and deliberate cruelty; but in the conspiracies which attacked his authority and person, a more candid judge will approve the justice, or admire the clemency of Justinian. He excelled in the private virtues of chastity and temperance; but his abstemious diet was regulated, not by the prudence of a philosopher, but the superstition of a monk. His repasts were short and frugal: on solemn fasts he contented himself with water and vegetables; and such was his strength as well as fervour, that he frequently passed two days, and as many nights, without tasting any food. The measure of his sleep was not less rigorous: after the repose of a single hour, the body was awakened by the soul, and, to the astonishment of his chamberlains, Justinian walked or studied till the morning light. Such restless application prolonged his time for the acquisition of knowledge and the despatch of business; and he might seriously deserve the reproach of confounding, by minute and preposterous diligence, the general order of his administration. The emperor professed himself a musician and architect, a poet and philosopher, a lawyer and theologian; and, if he failed in the enterprise of reconciling the Christian sects, the review of the Roman jurisprudence is a noble monument of his spirit and industry. In the government of the empire he was less wise, or less successful: the age was unfortunate; the people was oppressed and discontented; Theodora abused her power; a succession of bad ministers disgraced his judgment; and Justinian was neither beloved in his life nor regretted at his death. The love of fame was deeply implanted in his breast, but he

* The story is first told by Tzetzes, a writer of the twelfth century; it is, as Ranke says (*Weltgeschichte*, IV. ii. c. 17), "a late invention of poetical moralists." It has been revived in modern times by Lord Mahon in his *Life of Belisarius*.

condescended to the poor ambition of titles, honours, and contemporary praise; and while he laboured to fix the admiration, he forfeited the esteem and affection of the Romans. The design of the African and Italian wars was boldly conceived and executed; and his penetration discovered the talents of Belisarius in the camp, of Narses in the palace. But the name of the emperor is eclipsed by the names of his victorious generals; and Belisarius still lives to upbraid the envy and ingratitude of his sovereign. The partial favour of mankind applauds the genius of a conqueror who leads and directs his subjects in the exercise of arms. The characters of Philip the Second and of Justinian are distinguished by the cold ambition which delights in war, and declines the dangers of the field.

Comets, earthquakes, and plague.

§ 19. I shall conclude this chapter with the comets, the earthquakes, and the plague, which astonished or afflicted the age of Justinian.

I. In the fifth year of his reign, and in the month of September, a comet was seen during twenty days in the western quarter of the heavens, and which shot its rays into the north (A.D. 531). Eight years afterwards (A.D. 539), while the sun was in Capricorn, another comet appeared to follow in the Sagittary: the size was gradually increasing; the head was in the east, the tail in the west, and it remained visible above forty days. The nations, who gazed with astonishment, expected wars and calamities from their baleful influence; and these expectations were abundantly fulfilled. The astronomers dissembled their ignorance of the nature of these blazing stars, which they affected to represent as the floating meteors of the air; and few among them embraced the simple notion of Seneca and the Chaldæans, that they are only planets of a longer period and more eccentric motion.

II. The near approach of a comet may injure or destroy the globe which we inhabit; but the changes on its surface have been hitherto produced by the action of volcanoes and earthquakes. Without assigning the cause, history will distinguish the periods in which these calamitous events have been rare or frequent, and will observe that this fever of the earth raged with uncommon violence during the reign of Justinian. Each year is marked by the repetition of earthquakes, of such duration that Constantinople has been shaken above forty days; of such extent that the shock has been communicated to the whole surface of the globe, or at least of the Roman empire. Two hundred and fifty thousand persons are said to have perished in the earthquake of Antioch, whose domestic multitudes were swelled by the conflux of strangers to the festival of the Ascension (A.D. 526, May 20). The loss of Berytus was of smaller account, but of much greater value (A.D. 551, July 9). That city, on the coast of Phœnicia, was illustrated by the study of the civil law, which opened the surest road to wealth and dignity: the schools of Berytus were filled with the rising spirits

of the age, and many a youth was lost in the earthquake who might have lived to be the scourge or the guardian of his country.

III. Æthiopia and Egypt have been stigmatised in every age as the original source and seminary of the plague. In a damp, hot, stagnating air, this African fever is generated from the putrefaction of animal substances, and especially from the swarms of locusts, not less destructive to mankind in their death than in their lives. The fatal disease which depopulated the earth in the time of Justinian and his successors first appeared in the neighbourhood of Pelusium, between the Serbonian bog and the eastern channel of the Nile (A.D. 542). From thence, tracing as it were a double path, it spread to the East, over Syria, Persia, and the Indies, and penetrated to the West, along the coast of Africa and over the continent of Europe. In the spring of the second year Constantinople, during three or four months, was visited by the pestilence; and Procopius, who observed its progress and symptoms with the eyes of a physician, has emulated the skill and diligence of Thucydides in the description of the plague of Athens. The infection was sometimes announced by the visions of a distempered fancy, and the victim despaired as soon as he had heard the menace and felt the stroke of an invisible spectre. But the greater number in their beds, in the streets, in their usual occupation, were surprised by a slight fever; so slight, indeed, that neither the pulse nor the colour of the patient gave any signs of the approaching danger. The same, the next, or the succeeding day, it was declared by the swelling of the glands, particularly those of the groin, of the armpits, and under the ear; and when these buboes or tumours were opened, they were found to contain a *coal*, or black substance, of the size of a lentil. If they came to a just swelling and suppuration, the patient was saved by this kind and natural discharge of the morbid humour; but if they continued hard and dry, a mortification quickly ensued, and the fifth day was commonly the term of his life. The fever was often accompanied with lethargy or delirium; the bodies of the sick were covered with black pustules or carbuncles, the symptoms of immediate death; and in the constitutions too feeble to produce an eruption, the vomiting of blood was followed by a mortification of the bowels. Such was the universal corruption of the air, that the pestilence which burst forth in the fifteenth year of Justinian was not checked or alleviated by any difference of the seasons. In time its first malignity was abated and dispersed; the disease alternately languished and revived; but it was not till the end of a calamitous period of 52 years (A.D. 542–594) that mankind recovered their health, or the air resumed its pure and salubrious quality. No facts have been preserved to sustain an account, or even a conjecture, of the numbers that perished in this extraordinary mortality. I only find that, during three months, five, and at length ten thousand

persons died each day at Constantinople; that many cities of the East were left vacant; and that in several districts of Italy the harvest and the vintage withered on the ground. The triple scourge of war, pestilence, and famine, afflicted the subjects of Justinian; and his reign is disgraced by a visible decrease of the human species, which has never been repaired in some of the fairest countries of the globe.

[Hodgkin, *Italy and her Invaders*, bk. v. cc. 15–25; Bury, *History of the Later Roman Empire*, bk. iv. cc. 4–14; Ranke, *Weltgeschichte*, IV. ii. cc. 17, 18; Finlay, *History of Greece*, ch. iii. § 7. On the Persian war, Rawlinson, *Seventh Great Oriental Monarchy*.]

Medallion of Justinian. See p. 403.

## CHAPTER XXIII.

### THE LEGISLATION OF JUSTINIAN.

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The Civil or Roman law.

§ 1. THE vain titles of the victories of Justinian are crumbled into dust, but the name of the legislator is inscribed on a fair and everlasting monument. Under his reign, and by his care, the civil jurisprudence was digested in the immortal works of the

CODE, the PANDECTS, and the INSTITUTES: the public reason of the Romans has been silently or studiously transfused into the domestic institutions of Europe, and the laws of Justinian still command the respect or obedience of independent nations. In the present chapter I shall trace the Roman jurisprudence from Romulus to Justinian, appreciate the labours of that emperor, and pause to contemplate the principles of a science so important to the peace and happiness of society. The laws of a nation form the most instructive portion of its history; and, although I have devoted myself to write the annals of a declining monarchy, I shall embrace the occasion to breathe the pure and invigorating air of the republic.

Laws of the kings of Rome.

§ 2. The primitive government of Rome was composed with some political skill of an elective king, a council of nobles, and a general assembly of the people. War and religion were administered by the supreme magistrate, and he alone proposed the laws, which were debated in the senate, and finally ratified or rejected by a majority of votes in the thirty *curiæ* of the city. The state was changed by the last Tarquin into lawless despotism; and when the kingly office was abolished, the patricians engrossed the benefits of freedom. The royal laws became odious or obsolete, the mysterious deposit was silently preserved by the priests and nobles, and at the end of 60 years the citizens of Rome still complained that they were ruled by the arbitrary sentence of the magistrates. Yet the positive institutions of the kings had blended themselves with the public and private manners of the city; and some fragments of that venerable jurisprudence were compiled by the diligence of antiquarians.*

The Twelve Tables of the decemvirs.

§ 3. I shall not repeat the well-known story of the Decemvirs, who sullied by their actions the honour of inscribing on brass, or wood, or ivory, the TWELVE TABLES of the Roman laws. They were dictated by the rigid and jealous spirit of an aristocracy which had yielded with reluctance to the just demands of the people. But the substance of the Twelve Tables was adapted to the state of the city: and the Romans had emerged from barbarism, since they were capable of studying and embracing the institutions of their more enlightened neighbours. A wise Ephesian was driven by envy from his native country: before he could reach the shores of Latium he had observed the various forms of human

* These *leges regiæ* were seemingly of two kinds. Some may have been real acts of parliament (*leges rogatæ*) proposed by the king and passed by the *curiæ;* but the majority seem to be ordinances of the college of pontiffs, expressed through the king and embodying prehistoric customary law. They belong to divine law (*Fas*), not to secular law (*Jus*). How largely they dealt with religious life and family relations may be seen by the specimens preserved by historians and collected in Bruns, *Fontes juris Romani antiqui*, pp. 3–14. A codification of these rules is said to have been made at an early period by a pontiff Papirius; hence the name *Jus Papirianum* given to the compilation. A commentary on this collection was made by Granius Flaccus, a jurist of the time of the dictator Cæsar.

nature and civil society; he imparted his knowledge to the legislators of Rome, and a statue was erected in the forum to the perpetual memory of Hermodorus. Both Livy and Dionysius are willing to believe that the deputies of Rome visited Athens under the wise and splendid administration of Pericles, and that the laws of Solon were transfused into the Twelve Tables. If such an embassy had indeed been received from the barbarians of Hesperia, the Roman name would have been familiar to the Greeks before the reign of Alexander, and the faintest evidence would have been explored and celebrated by the curiosity of succeeding times. But the Athenian monuments are silent, nor will it seem credible that the patricians should undertake a long and perilous navigation to copy the purest model of a democracy. In the comparison of the tables of Solon with those of the Decemvirs, some casual resemblance may be found, and some rules which nature and reason have revealed to every society. But in all the great lines of public and private jurisprudence the legislators of Rome and Athens appear to be strangers or adverse to each other.

Whatever might be the origin or the merit of the Twelve Tables, they obtained among the Romans that blind and partial reverence which the lawyers of every country delight to bestow on their municipal institutions. The Twelve Tables were committed to the memory of the young and the meditation of the old; they were transcribed and illustrated with learned diligence; they had escaped the flames of the Gauls; they subsisted in the age of Justinian, and their subsequent loss has been imperfectly restored by the labours of modern critics.* But, although these venerable monuments were considered as the rule of right and the fountain of justice, they were overwhelmed by the weight and variety of new laws which, at the end of five centuries, became a grievance more intolerable than the vices of the city. Three thousand brass plates, the acts of the senate and people, were deposited in the Capitol; and some of the acts, as the Julian law against extortion, surpassed the number of an hundred chapters. The Decemvirs had neglected to import the sanction of Zaleucus, which so long maintained the integrity of his republic. A Locrian who proposed any new law stood forth in the assembly of the people with a cord round his neck, and if the law was rejected the innovator was instantly strangled.

Leges: plebiscita: senatus consulta: edicts.

§ 4. The Decemvirs had been named, and their tables were approved, by an assembly of the *centuries*, in which riches preponderated against numbers. To the first class of Romans, the

* The ground for a modern reconstruction of the Twelve Tables was laid by H. Dirksen, *Übersicht der bisherigen Versuche zur Herstellung des Textes der XII. Tafeln* (1824); the evidences for their history in ancient times are collected by R. Schöll, *Legis XII. Tabularum reliquiæ* (1866); the most accessible reconstruction of the Code is to be found in Bruns, *Fontes*, pp. 17–38.

proprietors of 100,000 pounds of copper, 98 votes were assigned,* and only 95 were left for the four inferior classes, distributed according to their substance by the artful policy of Servius. The laws passed by the centuries were properly called LEGES. But the tribunes soon established a more specious and popular maxim, that every citizen has an equal right to enact the laws which he is bound to obey. Instead of the *centuries*, they convened the *tribes;* and the patricians, after an impotent struggle, submitted to the decrees of an assembly in which their votes were confounded with those of the meanest plebeians. These decrees, which were named PLEBISCITA, were equally binding as the Leges, from which they were distinguished only in name. Even under the republic the senate had a share in the legislative power, and the SENATUS-CONSULTA had the force and validity of laws. From the time of Tiberius these decrees became more frequent, because the emperors employed this means of flattering the pride of the senators by granting them the right of deliberating upon all affairs which did not entrench upon the Imperial power. But the most important source of the Roman law was the EDICTS of the prætors. As soon as the prætor ascended his tribunal, he announced by the voice of the crier, and afterwards inscribed on a white wall, the rules which he proposed to follow in the administration of justice. It was not according to his caprice that the prætor framed his regulations. The most distinguished lawyers of Rome were invited by the prætor to assist in drawing up this annual law,† which, according to its principle, was only a declaration which this magistrate made to the public, to announce the manner in which he would judge, and to guard against every charge of partiality. He was bound strictly to adhere to the letter and spirit of his first proclamation, according to the Cornelian law,‡ and he could make no change in a regulation once published. It is a mistake to suppose that the prætors had the power of departing from the fundamental laws, or the laws of the Twelve Tables. The people held them in such consideration, that the prætors rarely enacted laws contrary to their provisions; but as some provisions were found inefficient, others opposed to the manners of the people and to the spirit of subsequent ages, the prætors, still maintaining respect for the laws, endeavoured to bring them into accordance with the necessities of the existing time, by such fictions as best suited the nature of the case. In the reign of Hadrian, the prætorship of Salvius Julianus, an eminent lawyer,

* *I.e.* if we count the Knights (*Equites*) with the first class. The first class (of men with over 100,000 *asses*) had 80 votes; the *Equites* (who required no census) 18. If, as is probable, the smiths and carpenters (*Fabri*), who had two votes, voted with the first class, the total number of aristocratic votes would have been 100 as against 93 votes of the four inferior classes.

† "Qui plurimum tribuunt edicto, prætoris edictum legem annuam dicunt esse" (Cicero, *in Verrem*, i. 42, 109).

‡ Passed by C. Cornelius, tribune of the *plebs*, in 67 B.C.

was immortalised by the composition of the PERPETUAL EDICT.* This well-digested code was ratified by the emperor and the senate; the long divorce of law and equity was at length reconciled; and the perpetual edict was fixed as the invariable standard of civil jurisprudence.

Constitutions and rescripts of the emperors.

§ 5. From Augustus to Trajan, the modest Cæsars were content to promulgate their edicts in the various characters of a Roman magistrate; and in the decrees of the senate the *epistles* and *orations* of the prince were respectfully inserted. Hadrian appears to have been the first who assumed without disguise the plenitude of legislative power. And this innovation, so agreeable to his active mind, was countenanced by the patience of the times and his long absence from the seat of government. The same policy was embraced by succeeding monarchs, and, according to the harsh metaphor of Tertullian,† "the gloomy and intricate forest of ancient laws was cleared away by the axe of royal mandates and *constitutions*." During four centuries, from Hadrian to Justinian, the public and private jurisprudence was moulded by the will of the sovereign, and few institutions, either human or divine, were permitted to stand on their former basis. The *rescripts* of the emperor, replies to the consultation of the magistrates, his *grants* and *decrees*, his *edicts* and *pragmatic sanctions*,‡ were subscribed in purple ink, and transmitted to the provinces as general or special laws, which the magistrates were bound to execute and the people to obey. But as their number continually multiplied, the rule of obedience became each day more doubtful and obscure, till the will of the sovereign was fixed and ascertained in the Gregorian, the Hermogenian, and the Theodosian codes. The two first, of which some fragments have escaped, were framed by two private lawyers to preserve the constitutions of the Pagan emperors from Hadrian to Constantine.§ The third, which is still extant, was digested in 16 books by the order of the younger Theodosius to consecrate the laws of the Christian princes from Constantine to his own reign. But the three codes obtained an equal authority in the tribunals, and any act which was not included in the sacred deposit might be disregarded by the judge as spurious or obsolete.

* The edict was "perpetual" long before the time of Julianus. The epithet *perpetuum* applied to it probably means "continuous." The epithet *tralaticium* ("transmitted" from one magistrate to another) emphasises this continuity from another point of view. On the work of Salvius Julianus, see Roby, *Introduction to Justinian's Digest*, p. clxv.

† *Apologeticus*, c. 4.

‡ The *rescriptum* is a letter of advice to the magistrate or the litigant (on his *consultatio*); the *decretum* is the judgment of the emperor as a High Court; the *edictum* is, like that of the prætor, an interpretation of law. On pragmatic sanction, see ch. xxii. § 14.

§ Hermogenian's Code went further. The latest enactment in it is of the year 365 A.D. This perhaps marks the date of its publication. See Rudorff, *Römische Rechtsgeschichte*, i. §§ 98 and 99.

Forms of the Roman law.

§ 6. Among savage nations the want of letters is imperfectly supplied by the use of visible signs, which awaken attention and perpetuate the remembrance of any public or private transaction. The jurisprudence of the first Romans exhibited the scenes of a pantomime: the words were adapted to the gestures, and the slightest error or neglect in the *forms* of proceeding was sufficient to annul the *substance* of the fairest claim. The communion of the marriage-life was denoted by the necessary elements of fire and water; and the divorced wife resigned the bunch of keys, by the delivery of which she had been invested with the government of the family. The manumission of a son or a slave was performed by turning him round with a gentle blow on the cheek; a work was prohibited by the casting of a stone; prescription was interrupted by the breaking of a branch; the clenched fist was the symbol of a pledge or deposit; the right hand was the gift of faith and confidence. The indenture of covenants was a broken straw,* and weights and scales were introduced into every payment. If a citizen pursued any stolen goods into a neighbour's house he concealed his nakedness with a linen towel, and hid his face with a mask or basin, lest he should encounter the eyes of a virgin or a matron. In a civil action, the plaintiff touched the ear of his witness, seized his reluctant adversary by the neck, and implored, in solemn lamentation, the aid of his fellow-citizens. The two competitors grasped each other's hand as if they stood prepared for combat before the tribunal of the prætor; he commanded them to produce the object of the dispute; they went, they returned with measured steps, and a clod of earth was cast at his feet to represent the field for which they contended. This occult science of the words and actions of law was the inheritance of the pontiffs and patricians. Like the Chaldæan astrologers, they announced to their clients the days of business and repose; these important trifles were interwoven with the religion of Numa, and, after the publication of the Twelve Tables, the Roman people was still enslaved by the ignorance of judicial proceedings. The treachery of a plebeian officer at length revealed the profitable mystery;† in a more enlightened age the legal actions were derided and observed, and the same antiquity which sanctified the practice, obliterated the use and meaning of this primitive language.

Succession of the civil lawyers.

§ 7. A more liberal art was cultivated, however, by the sages of Rome, who, in a stricter sense, may be considered as the authors of the civil law. The alteration of the idiom and manners of the Romans rendered the style of the Twelve Tables less familiar to each rising generation, and the doubtful passages

* If *stipulatio* is derived from *stipula;* a more probable derivation is that given by Varro (*de Lingua Latina*, v. 36, 50) from *stipes* ("small coin," "currency").

† It was revealed by Cn. Flavius, the scribe of App. Claudius Cæcus censor B.C. 312.

were imperfectly explained by the study of legal antiquarians. To define the ambiguities, to circumscribe the latitude, to apply the principles, to extend the consequences, to reconcile the real or apparent contradictions, was a much nobler and more important task; and the province of legislation was silently invaded by the expounders of ancient statutes. Their subtle interpretations concurred with the equity of the prætor to reform the tyranny of the darker ages; however strange or intricate the means, it was the aim of artificial jurisprudence to restore the simple dictates of nature and reason, and the skill of private citizens was usefully employed to undermine the public institutions of their country. The revolution of almost one thousand years, from the Twelve Tables to the reign of Justinian, may be divided into three periods almost equal in duration, and distinguished from each other by the mode of instruction and the character of the civilians. I. Pride and ignorance contributed, during the first period, to confine within narrow limits the science of the Roman law (B.C. 451–106). On the public days of market or assembly the masters of the art were seen walking in the forum, ready to impart the needful advice to the meanest of their fellow-citizens, from whose votes, on a future occasion, they might solicit a grateful return. As their years and honours increased, they seated themselves at home on a chair or throne, to expect, with patient gravity, the visits of their clients, who at the dawn of day, from the town and country, began to thunder at their door. The duties of social life and the incidents of judicial proceeding were the ordinary subject of these consultations, and the verbal or written opinion of the *juris-consulti* was framed according to the rules of prudence and law. The youths of their own order and family were permitted to listen; their children enjoyed the benefit of more private lessons, and the Mucian race was long renowned for the hereditary knowledge of the civil law. II. The second period, the learned and splendid age of jurisprudence, may be extended from the birth of Cicero to the reign of Severus Alexander (B.C. 106–A.D. 235). A system was formed, schools were instituted, books were composed, and both the living and the dead became subservient to the instruction of the student. The *Tripartite* of Ælius Pætus, surnamed Catus, or the Cunning, was preserved as the oldest work of jurisprudence.* Cato the censor derived some additional fame from his legal studies and those of his son; the kindred appellation of Mucius Scævola was illustrated by three sages of the law, but the perfection of the science was ascribed to Servius Sulpicius, their disciple, and the friend of Tully; and

* Sextus Ælius Pætus belongs to the earlier period. He was ædile in 200, consul in 198, and censor in 193 B.C. The *Tripartite* gave in three divisions (1) the text of the Twelve Tables; (2) an explanation of them; (3) the form of procedure applicable to each case. He was also the author of a more popular work known as *Jus Ælianum*, which introduced new forms of action.

the long succession, which shone with equal lustre under the republic and under the Cæsars, is finally closed by the respectable characters of Papinian, of Paul, and of Ulpian.* III. In the third period, between the reigns of Alexander and Justinian, the oracles of jurisprudence were almost mute (A.D. 235–527). The measure of curiosity had been filled; the throne was occupied by tyrants and barbarians; the active spirits were diverted by religious disputes; and the professors of Rome, Constantinople, and Berytus, were humbly content to repeat the lessons of their more enlightened predecessors.

Their philosophy.

§ 8. The jurisprudence which had been grossly adapted to the wants of the first Romans was polished and improved in the seventh century of the city by the alliance of Grecian philosophy. The Scævolas had been taught by use and experience; but Servius Sulpicius was the first civilian who established his art on a certain and general theory. For the discernment of truth and falsehood he applied, as an infallible rule, the logic of Aristotle and the Stoics, reduced particular cases to general principles, and diffused over the shapeless mass the light of order and eloquence. It was from the stoics that the Roman civilians learned to live, to reason, and to die; but they imbibed in some degree the prejudices of the sect; the love of paradox, the pertinacious habits of dispute, and a minute attachment to words and verbal distinctions. The superiority of *form* to *matter* was introduced to ascertain the right of property: and the equality of crimes is countenanced by an opinion of Trebatius, that he who touches the ear touches the whole body; and that he who steals from an heap of corn or an hogshead of wine is guilty of the entire theft.†

Their authority: sects of lawyers.

§ 9. Augustus and Tiberius were the first to adopt, as an useful engine, the science of the civilians; and their servile labours accommodated the old system to the spirit and views of despotism. Under the fair pretence of securing the dignity of the art, the privilege of subscribing legal and valid opinions was confined to the sages of senatorial or equestrian rank, who had been previously approved by the judgment of the prince.‡ The discretion of the prætor was now governed by the lessons of his teachers; the judges were enjoined to obey the comment as well as the text of the law; and the use of codicils was a memorable innovation, which Augustus ratified by the advice of the civilians. The most absolute mandate could only require that the judges should agree with the civilians, if the civilians agreed among themselves. But the Roman jurisprudence was divided by the once famous sects of the *Proculians* and *Sabinians*. Two sages

* See ch. ii. Appendix, note 2.

† See Trebatius, as quoted by Paulus in *Digest*, 47, 2 (*de furtis*), 21; it is a literal deduction from the clumsy Roman definition of theft as *contrectatio rei fraudulosa lucri faciendi gratia*.

‡ The first patented Jurisconsult was Masurius Sabinus, an *eques*. He was given the right *publice respondendi* by the emperor Tiberius. He succeeded Capito, and gave the name *Sabinian* to the school.

of the law, Ateius Capito and Antistius Labeo, adorned the peace of the Augustan age: the former distinguished by the favour of his sovereign; the latter more illustrious by his contempt of that favour, and his stern though harmless opposition to the tyrant of Rome. Their legal studies were influenced by the various colours of their temper and principles. Labeo was attached to the form of the old republic; his rival embraced the more profitable substance of the rising monarchy. But the disposition of a courtier is tame and submissive; and Capito seldom presumed to deviate from the sentiments, or at least from the words, of his predecessors; while the bold republican pursued his independent ideas without fear of paradox or innovations. The freedom of Labeo was enslaved, however, by the rigour of his own conclusions, and he decided, according to the letter of the law, the same questions which his indulgent competitor resolved with a latitude of equity more suitable to the common sense and feelings of mankind.* If a fair exchange had been substituted for the payment of money, Capito still considered the transaction as a legal sale; and he consulted nature for the age of puberty, without confining his definition to the precise period of twelve or fourteen years. This opposition of sentiments was propagated in the writings and lessons of the two founders; the schools of Capito and Labeo maintained their inveterate conflict from the age of Augustus to that of Hadrian; and the two sects derived their appellations from Sabinus and Proculus, their most celebrated teachers. The names of *Cassians* and *Pegasians* were likewise applied to the same parties; but, by a strange reverse, the popular cause was in the hands of Pegasus, a timid slave of Domitian, while the favourite of the Cæsars was represented by Cassius, who gloried in his descent from the patriot assassin. By the perpetual edict the controversies of the sects were in a great measure determined. For that important work the emperor Hadrian preferred the chief of the Sabinians; the friends of monarchy prevailed; but the moderation of Salvius Julianus insensibly reconciled the victors and the vanquished. Like the contemporary philosophers, the lawyers of the age of the Antonines disclaimed the authority of a master, and adopted from every system the most probable doctrines. But their writings would have been less voluminous, had their choice been more unanimous. The conscience of the judge was perplexed by the number and weight of discordant testimonies, and every sentence that his passion or interest might pronounce was justified by the sanction of some venerable name. An indulgent edict of the younger Theodosius † excused him from the labour of comparing and weighing their arguments. Five civilians, Gaius, Papinian, Paul, Ulpian, and Modestinus, were established as the oracles of jurisprudence; a majority was decisive; but, if their opinions

* On these controversies of the schools, see Roby, *Introduction to Justinian's Digest*, ch. 9.

† Codex Theodosianus, 1, 4, 3.

were equally divided, a casting vote was ascribed to the superior wisdom of Papinian.

§ 10. When Justinian ascended the throne, the reformation of the Roman jurisprudence was an arduous but indispensable task. In the space of ten centuries the infinite variety of laws and legal opinions had filled many thousand volumes, which no fortune could purchase and no capacity could digest. Books could not easily be found; and the judges, poor in the midst of riches, were reduced to the exercise of their illiterate discretion. The subjects of the Greek provinces were ignorant of the language that disposed of their lives and properties; and the *barbarous* dialect of the Latins was imperfectly studed in the academies of Berytus and Constantinople. As an Illyrian soldier, that idiom was familiar to the infancy of Justinian; his youth had been instructed by the lessons of jurisprudence, and his Imperial choice selected the most learned civilians of the East, to labour with their sovereign in the work of reformation. The theory of professors was assisted by the practice of advocates and the experience of magistrates; and the whole undertaking was animated by the spirit of Tribonian. This extraordinary man, the object of so much praise and censure, was a native of Side in Pamphylia; and his genius, like that of Bacon, embraced, as his own, all the business and knowledge of the age. To the literature of Greece he added the use of the Latin tongue; the Roman civilians were deposited in his library and in his mind; and he most assiduously cultivated those arts which opened the road of wealth and preferment. From the bar of the prætorian præfects he raised himself to the honours of quæstor, of consul, and of master of the offices. The reproaches of impiety and avarice have stained the virtues or the reputation of Tribonian. In a bigoted and persecuting court, the principal minister was accused of a secret aversion to the Christian faith, and was supposed to entertain the sentiments of an Atheist and a Pagan. His avarice was more clearly proved and more sensibly felt. If he were swayed by gifts in the administration of justice, the example of Bacon will again occur; nor can the merit of Tribonian atone for his baseness, if he degraded the sanctity of his profession, and if laws were every day enacted, modified, or repealed, for the base consideration of his private emolument. In the sedition of Constantinople, his removal was granted to the clamours, perhaps to the just indignation, of the people;* but the quæstor was speedily restored, and, till the hour of his death, he possessed, above twenty years, the favour and confidence of the emperor.

Reformation of the Roman law by Justinian: Tribonian.

§ 11. In the first year of his reign, Justinian directed the faithful Tribonian, and nine learned associates, to revise the ordinances of his predecessors, as they were contained, since the time of Hadrian, in the Gregorian, Hermogenian, and Theodosian codes. The work was accomplished in 14 months (A.D. 528, Feb. 13–A.D. 529, April 7); and the twelve books or *tables*, which the new

The Code and Digest or Pandects.

* See ch. xx. § 6.

decemvirs produced, might be designed to imitate the labours of their Roman predecessors. The new CODE of Justinian was honoured with his name, and confirmed by his royal signature: authentic transcripts were multiplied by the pens of notaries and scribes, and were transmitted to the magistrates of the provinces. A more arduous operation was still behind—to extract the spirit of jurisprudence from the decisions and conjectures, the questions and disputes, of the Roman civilians. Seventeen lawyers, with Tribonian at their head, were appointed by the emperor to exercise an absolute jurisdiction over the works of their predecessors. If they had obeyed his commands in ten years, Justinian would have been satisfied with their diligence; and the rapid composition of the DIGEST or PANDECTS in three years will deserve praise or censure according to the merit of the execution (A.D. 530, Dec. 15–A.D. 533, Dec. 16). From the library of Tribonian they chose the most eminent civilians of former times:* 2000 treatises were comprised in an abridgment of 50 books; and it has been carefully recorded that three millions of lines or sentences were reduced, in this abstract, to the moderate number of 150,000.† The edition of this great work was delayed a month after that of the INSTITUTES; and it seemed reasonable that the elements should precede the digest of the Roman law. As soon as the emperor had approved their labours, he ratified, by his legislative power, the speculations of these private citizens: their commentaries on the Twelve Tables, the Perpetual Edict, the laws of the people, and the decrees of the senate, succeeded to the authority of the text; and the text was abandoned as an useless, though venerable relic of antiquity. The *Code*, the *Pandects*, and the *Institutes* were declared to be the legitimate system of civil jurisprudence; they alone were admitted in the tribunals, and they alone were taught in the academies of Rome, Constantinople, and Berytus.

Praise and censure of the Code and Digest: loss of the ancient jurisprudence.

§ 12. Since the emperor declined the fame and envy of original composition, we can only require at his hands method, choice, and fidelity—the humble, though indispensable, virtues of a compiler. Among the various combinations of ideas it is difficult to assign any reasonable preference; but, as the order of Justinian is different in his three works, it is possible that all may be wrong, and it is certain that two cannot be right. In the selection of ancient laws he seems to have viewed his predecessors without jealousy and with equal regard: the series could not ascend above the reign of Hadrian, and the narrow distinction of Paganism and Christianity, introduced by the superstition of Theodosius, had been abolished by the consent of mankind. But the jurisprudence of the Pandects is circumscribed within a period

* A list of 38 authors is preserved in the Florentine MS. of the Digest; the list, however, is not quite accurate. See Roby, *op. cit.*, p. xxiv.

† By a comparison of the size of the Digest with that of Ker's Blackstone, Roby (*op. cit.*, p. xxv.) gets the result that "Justinian compressed a law library of 106 volumes into one of 5⅓ volumes."

of an hundred years, from the Perpetual Edict to the death of Severus Alexander: the civilians who lived under the first Cæsars are seldom permitted to speak, and only three names can be attributed to the age of the republic.* The favourite of Justinian (it has been fiercely urged) was fearful of encountering the light of freedom and the gravity of Roman sages. But the ministers of Justinian were instructed to labour not for the curiosity of antiquarians, but for the immediate benefit of his subjects. Perhaps, if the preceptors and friends of Cicero were still alive, our candour would acknowledge that their intrinsic merit was excelled by the school of Papinian and Ulpian. The science of the laws is the slow growth of time and experience, and the advantage both of method and materials is naturally assumed by the most recent authors. But the emperor was guilty of fraud and forgery when he corrupted the integrity of their text, inscribed with their venerable names the words and ideas of his servile reign, and suppressed by the hand of power the pure and authentic copies of their sentiments. The changes and interpolations of Tribonian and his colleagues are excused by the pretence of uniformity: but their cares have been insufficient, and the *antinomies*, or contradictions, of the Code and Pandects, still exercise the patience and subtlety of modern civilians.

A rumour, devoid of evidence, has been propagated by the enemies of Justinian, that the jurisprudence of ancient Rome was reduced to ashes by the author of the Pandects, from the vain persuasion that it was now either false or superfluous. Without usurping an office so invidious, the emperor might safely commit to ignorance and time the accomplishment of this destructive wish. Before the invention of printing and paper, the labour and the materials of writing could be purchased only by the rich; and it may reasonably be computed that the price of books was an hundred-fold their present value. The books of jurisprudence were interesting to few, and entertaining to none; their value was connected with present use, and they sunk for ever as soon as that use was superseded by the innovations of fashion, superior merit, or public authority. The copies of Papinian or Ulpian, which the reformer had proscribed, were deemed unworthy of future notice; the Twelve Tables and prætorian edict insensibly vanished; and the monuments of ancient Rome were neglected or destroyed by the envy and ignorance of the Greeks. Even the Pandects themselves have escaped with difficulty and danger from the common shipwreck, and criticism has pronounced that *all* the editions and manuscripts of the West are derived from *one* original. It was transcribed at Constantinople in the beginning of the seventh century, was successfully transported by the accidents of war and commerce

* Q. Mucius Scævola, Aquilius Gallus, and Alfenus Varus. These three Republican names are found in the Florentine Index.

to Amalfi, Pisa, and Florence, and is now deposited as a sacred relic in the ancient palace of the republic.*

Second edition of the Code.

§ 13. It is the first care of a reformer to prevent any future reformation. To maintain the text of the Pandects, the Institutes, and the Code, the use of ciphers and abbreviations was rigorously proscribed; and, as Justinian recollected that the Perpetual Edict had been buried under the weight of commentators, he denounced the punishment of forgery against the rash civilians who should presume to interpret or pervert the will of their sovereign. But the emperor was unable to fix his own inconstancy; and, while he boasted of renewing the exchange of Diomede, of transmuting brass into gold, he discovered the necessity of purifying his gold from the mixture of baser alloy. Six years had not elapsed from the publication of the Code before he condemned the imperfect attempt by a new and more accurate edition of the same work, which he enriched with two hundred of his own laws and fifty decisions of the darkest and most intricate points of jurisprudence (A.D. 534, Nov. 16). Every year, or, according to Procopius, each day of his long reign was marked by some legal innovation. Many of his acts were rescinded by himself; many were rejected by his successors; many have been obliterated by time; but the number of sixteen EDICTS, and one hundred and sixty-eight NOVELS,† has been admitted into the authentic body of the civil jurisprudence (A.D. 534–565).

The Institutes: their divisions.

§ 14. Monarchs seldom condescend to become the preceptors of their subjects; and some praise is due to Justinian, by whose command an ample system was reduced to a short and elementary treatise. Among the various institutes of the Roman law, those of Gaius‡ were the most popular in the East and West; and their use may be considered as an evidence of their merit. They were selected by the Imperial delegates, Tribonian, Theophilus, and Dorotheus; and the freedom and purity of the Antonines was incrusted with the coarser materials of a degenerate age. The same volume which introduced the youth of Rome, Constantinople, and Berytus to the gradual study of the Code and Pandects, is still precious to the historian, the philosopher, and the magistrate. The INSTITUTES of Justinian are divided into four books: they proceed, with no contemptible method, from, I. *Persons*, to, II. *Things*, and from things to, III. *Actions;* and the article IV., of *Private Wrongs*, is terminated by the principles of *Criminal Law.*

* The original of the Bolognese MSS. is held to be a copy of the Florentine; but this original contained genuine readings of another MS. different from the Florentine. See Mommsen, *Preface to Digest*, p. lxx.; Savigny, *Geschichte des Römischen Rechts im Mittelalter*, iii. c. 22, § 166.

† *Novellæ*, i.e. new constitutions.

‡ The Institutes of Gaius, who lived in the time of the Antonines, were discovered by Niebuhr in 1816 in a palimpsest MS. preserved in the cathedral library of Verona. The work was published for the first time by Göschen in 1821.

1. OF PERSONS. Freemen and slaves.

§ 15. I. OF PERSONS. In the eye of the law all Roman citizens were equal, and all subjects of the empire were citizens of Rome.* That inestimable character was degraded to an obsolete and empty name. The voice of a Roman could no longer enact his laws, or create the annual ministers of his power: his constitutional rights might have checked the arbitrary will of a master; and the bold adventurer from Germany or Arabia was admitted, with equal favour, to the civil and military command, which the citizen alone had been once entitled to assume over the conquests of his fathers. The first Cæsars had scrupulously guarded the distinction of *ingenuous* and *servile* birth, which was decided by the condition of the mother; and the candour of the laws was satisfied if *her* freedom could be ascertained, during a single moment, between the conception and the delivery. The slaves who were liberated by a generous master immediately entered into the middle class of *libertini* or freedmen; but they could never be enfranchised from the duties of obedience and gratitude: whatever were the fruits of their industry, their patron and his family inherited one half; or even the whole of their fortune if they died without children and without a testament. Justinian respected the rights of patrons; but his indulgence removed the badge of disgrace from the two inferior orders of freedmen;† whoever ceased to be a slave obtained, without reserve or delay, the station of a citizen; and at length the dignity of an ingenuous birth, which nature had refused, was created, or supposed, by the omnipotence of the emperor. Whatever restraints of age, or forms, or numbers, had been formerly introduced to check the abuse of manumissions and the too rapid increase of vile and indigent Romans, he finally abolished; and the spirit of his laws promoted the extinction of domestic servitude.

Fathers and children.

§ 16. The law of nature instructs most animals to cherish and educate their infant progeny. The law of reason inculcates upon the human species the returns of filial piety. But the exclusive, absolute, and perpetual dominion of the father over his children is peculiar to the Roman jurisprudence, and seems to be coeval with the foundation of the city. The paternal power was instituted or confirmed by Romulus himself; and, after the practice of three centuries, it was inscribed on the fourth table of the Decemvirs. In the forum, the senate, or the camp, the adult son of a Roman citizen enjoyed the public and private rights of a *person;* in his father's house he was a mere *thing;* confounded by the laws with the moveables, the cattle, and the slaves, whom the capricious master might alienate or destroy without being responsible to any earthly tribunal. The hand which bestowed the daily sustenance might

* See ch. iii. § 4.

† *I.e.* the informally manumitted slaves called *Latini Juniani* and the slaves of bad character who attained by manumission, not the citizenship, but the status of *peregrini dediticii*.

resume the voluntary gift, and whatever was acquired by the labour or fortune of the son was immediately lost in the property of the father. At the call of indigence or avarice, the master of a family could dispose of his children or his slaves. But the condition of the slave was far more advantageous, since he regained, by the first manumission, his alienated freedom: the son was again restored to his unnatural father; he might be condemned to servitude a second and a third time, and it was not till after the third sale and deliverance that he was enfranchised from the domestic power which had been so repeatedly abused. The majesty of a parent was armed with the power of life and death; and the examples of such bloody executions, which were sometimes praised and never punished, may be traced in the annals of Rome, beyond the times of Pompey and Augustus. Neither age, nor rank, nor the consular office, nor the honours of a triumph, could exempt the most illustrious citizen from the bonds of filial subjection: his own descendants were included in the family of their common ancestor; and the claims of adoption were not less sacred or less rigorous than those of nature.

The first limitation of paternal power is ascribed to the justice and humanity of Numa; and the maid who, with *his* father's consent, had espoused a freeman, was protected from the disgrace of becoming the wife of a slave.* An imperfect right of property, under the name of *peculium*, was at length communicated to sons. Of all that proceeded from the father he imparted only the use, and reserved the absolute dominion; yet, if his goods were sold, the filial portion was excepted, by a favourable interpretation, from the demands of the creditors. In whatever accrued by marriage, gift, or collateral succession, the property was secured to the son; but the father, unless he had been specially excluded, enjoyed the usufruct during his life. A private jurisdiction is repugnant to the spirit of monarchy; the parent was again reduced from a judge to an accuser; and the magistrates were enjoined by Severus Alexander to hear his complaints and execute his sentence. He could no longer take the life of a son without incurring the guilt and punishment of murder; and the pains of parricide, from which he had been excepted by the Pompeian law, were finally inflicted by the justice of Constantine. The exposition of children was the prevailing and stubborn vice of antiquity; it was sometimes prescribed, often permitted, almost always practised with impunity by the nations who never entertained the Roman ideas of paternal power; and the dramatic poets, who appeal to the human heart, represent with indifference a popular custom which was palliated by the motives of economy and compassion. If the father could subdue his own feelings, he might escape, though not the censure, at least the chastisement, of the laws;

* "If a father allows his son to take to himself a wife . . . the father shall no longer have power to sell the son" (Dionysius, ii. 27).

and the Roman empire was stained with the blood of infants, till such murders were included by Valentinian and his colleagues in the letter and spirit of the Cornelian law.* The lessons of jurisprudence and Christianity had been insufficient to eradicate this inhuman practice, till their gentle influence was fortified by the terrors of capital punishment.

Husbands and wives.

§ 17. Experience has proved that savages are the tyrants of the female sex, and that the condition of women is usually softened by the refinements of social life. The season of marriage was fixed by Numa at the tender age of 12 years, that the Roman husband might educate to his will a pure and obedient virgin. According to the custom of antiquity, he bought his bride of her parents, and she fulfilled the *coemption* by purchasing, with three pieces of copper, a just introduction to his house and household deities. A sacrifice of fruits was offered by the pontiffs in the presence of 10 witnesses; the contracting parties were seated on the same sheepskin; they tasted a salt cake of *far*, or spelt; and this *confarreation*, which denoted the ancient food of Italy, served as an emblem of their mystic union of mind and body.† But this union on the side of the woman was rigorous and unequal; and she renounced the name and worship of her father's house, to embrace a new servitude, decorated only by the title of adoption: a fiction of the law, neither rational nor elegant, bestowed on the mother of a family (her proper appellation) the strange characters of sister to her own children and of daughter to her husband or master, who was invested with the plenitude of paternal power. By his judgment or caprice her behaviour was approved, or censured, or chastised; he exercised the jurisdiction of life and death; and it was allowed that in the cases of adultery or drunkenness the sentence might be properly inflicted. She acquired and inherited for the sole profit of her lord; and so clearly was woman defined, not as a person, but as a thing, that if the original title were deficient, she might be claimed, like other moveables, by the use and possession of an entire year.

After the Punic triumphs the matrons of Rome aspired to the common benefits of a free and opulent republic; their wishes were gratified by the indulgence of fathers and lovers, and their ambition was unsuccessfully resisted by the gravity of Cato the Censor. They declined the solemnities of the old nuptials, defeated the annual prescription by an absence of three days, and, without losing their name or independence, subscribed the

* Perhaps this regulation of Valentinian I. was only a re-enactment. The exposure of children is described as *necare* by the jurist Paulus (*circa*, 200 A.D.). See Digest, 25, 3, 4. On the controversial literature that has gathered round this subject, see Rein, *Criminalrecht der Römer*, p. 443.

† It must not be supposed that *coemptio* and *confarreatio* went together. *Either* gave the husband power (*manus*) over his wife. The second was a purely patrician ceremony, and it is probable that originally the first was as purely plebeian.

liberal and definite terms of a marriage contract. Of their private fortunes, they communicated the use and secured the property: the estates of a wife could neither be alienated nor mortgaged by a prodigal husband; their mutual gifts were prohibited by the jealousy of the laws; and the misconduct of either party might afford, under another name, a future subject for an action of theft.* To this loose and voluntary compact religious and civil rites were no longer essential, and between persons of a similar rank the apparent community of life was allowed as sufficient evidence of their nuptials. The dignity of marriage was restored by the Christians, who derived all spiritual grace from the prayers of the faithful and the benediction of the priest or bishop. The origin, validity, and duties of the holy institution were regulated by the tradition of the synagogue, the precepts of the Gospel, and the canons of general or provincial synods; and the conscience of the Christians was awed by the decrees and censures of their ecclesiastical rulers. Yet the magistrates of Justinian were not subject to the authority of the church: the emperor consulted the unbelieving civilians of antiquity; and the choice of matrimonial laws in the Code and Pandects is directed by the earthly motives of justice, policy, and the natural freedom of both sexes.

Divorce.

§ 18. Besides the agreement of the parties, the essence of every rational contract, the Roman marriage required the previous approbation of the parents. The causes of the dissolution of matrimony varied among the Romans; but the most solemn sacrament, the confarreation itself, might always be done away by rites of a contrary tendency. In the first ages the father of a family might sell his children, and his wife was reckoned in the number of his children;† the domestic judge might pronounce the death of the offender, or his mercy might expel her from his bed and house; but the slavery of the wretched female was hopeless and perpetual, unless he asserted for his own convenience the manly prerogative of divorce. The warmest applause has been lavished on the virtue of the Romans, who abstained from the exercise of this tempting privilege above 500 years;‡ but the same fact evinces the unequal terms of a connexion in which the slave was unable to renounce her tyrant, and the tyrant was unwilling to relinquish his slave. When the Roman matrons became the equal and voluntary companions of their lords, a new jurisprudence was introduced, that marriage, like other partnerships, might be dissolved by the abdication of

* *Actio rerum amotarum.*

† She claimed an early exemption. A law attributed to Romulus sacrificed to the infernal gods any man who sold his wife (Plutarch, *Romulus*, 22).

‡ At the beginning of the second century, B.C., Spurius Carvilius Ruga repudiated a wife, whom he loved, because she was barren. He did it because he could not conscientiously take the oath before the Censors *uxorem se liberûm quærendorum gratia habiturum* (Gellius, iv. 3).

one of the associates. In three centuries of prosperity and corruption, this principle was enlarged to frequent practice and pernicious abuse. Passion, interest, or caprice, suggested daily motives for the dissolution of marriage; a word, a sign, a message, a letter, the mandate of a freedman, declared the separation; the most tender of human connexions was degraded to a transient society of profit or pleasure.

Insufficient remedies followed with distant and tardy steps the rapid progress of the evil. Every act of a citizen was subject to the judgment of the *censors;* the first who used the privilege of divorce assigned at their command the motives of his conduct; and a senator was expelled for dismissing his virgin spouse without the knowledge or advice of his friends. Whenever an action was instituted for the recovery of a marriage-portion, the *prætor*, as the guardian of equity, examined the cause and the characters, and gently inclined the scale in favour of the guiltless and injured party. Augustus, who united the powers of both magistrates, adopted their different modes of repressing or chastising the licence of divorce. The presence of seven Roman witnesses was required for the validity of this solemn and deliberate act: if any adequate provocation had been given by the husband, instead of the delay of two years, he was compelled to refund immediately or in the space of six months; but, if he could arraign the manners of his wife, her guilt or levity was expiated by the loss of the sixth or eighth part of her marriage-portion. The Christian princes were the first who specified the just causes of a private divorce; their institutions, from Constantine to Justinian, appear to fluctuate between the custom of the empire and the wishes of the church; and the author of the Novels too frequently reforms the jurisprudence of the Code and Pandects. The successor of Justinian yielded to the prayers of his unhappy subjects, and restored the liberty of divorce by mutual consent.

Incest, concubines, and bastards.

§ 19. The freedom of marriage was restrained among the Romans by natural and civil impediments. An instinct, almost innate and universal, appears to prohibit the incestuous commerce of parents and children in the infinite series of ascending and descending generations. Concerning the oblique and collateral branches nature is indifferent, reason mute, and custom various and arbitrary. In Egypt the marriage of brothers and sisters was admitted without scruple or exception; a Spartan might espouse the daughter of his father; an Athenian, that of his mother; and the nuptials of an uncle with his niece were applauded at Athens as a happy union of the dearest relations. The profane lawgivers of Rome were never tempted by interest or superstition to multiply the forbidden degrees; but they inflexibly condemned the marriage of sisters and brothers, hesitated whether first-cousins should be touched by the same interdict, revered the parental character of aunts and uncles,*

* In consequence of the marriage of the emperor Claudius with his

and treated affinity and adoption as a just imitation of the ties of blood. According to the proud maxims of the republic, a legal marriage could only be contracted by free citizens; an honourable, at least an ingenuous, birth was required for the spouse of a senator: but the blood of kings could never mingle in legitimate nuptials with the blood of a Roman; and the name of Stranger degraded Cleopatra and Berenice to live the *concubines* of Mark Antony and Titus. This appellation, indeed, so injurious to the majesty, cannot without indulgence be applied to the manners, of these Oriental queens. A concubine, in the strict sense of the civilians, was a woman of servile or plebeian extraction, the sole and faithful companion of a Roman citizen, who continued in a state of celibacy. Her modest station, below the honours of a wife, above the infamy of a prostitute, was acknowledged and approved by the laws: from the age of Augustus to the tenth century the use of this secondary marriage prevailed both in the West and East; and the humble virtues of a concubine were often preferred to the pomp and insolence of a noble matron. In this connexion the two Antonines, the best of princes and of men, enjoyed the comforts of domestic love; the example was imitated by many citizens impatient of celibacy, but regardful of their families. If at any time they desired to legitimate their natural children, the conversion was instantly performed by the celebration of their nuptials with a partner whose fruitfulness and fidelity they had already tried. By this epithet of *natural* the offspring of the concubine were distinguished from the spurious brood of adultery, prostitution, and incest, to whom Justinian reluctantly grants the necessary elements of life; and these natural children alone were capable of succeeding to a sixth part of the inheritance of their reputed father.* According to the rigour of law, bastards were entitled only to the name and condition of their mother, from whom they might derive the character of a slave, a stranger, or a citizen. The outcasts of every family were adopted, without reproach, as the children of the state.

Guardians and wards.

§ 20. The relation of guardian and ward, or, in Roman words, of *tutor* and *pupil*, which covers so many titles of the Institutes and Pandects, is of a very simple and uniform nature. The person and property of an orphan must always be trusted to the custody of some discreet friend. If the deceased father had not signified his choice, the *agnats*, or paternal kindred of the nearest degree, were compelled to act as the natural guardians. If the choice of the father and the line of consanguinity afforded no efficient guardian, the failure was supplied by the nomination of the prætor of the city or the president of the province. The

niece Agrippina, the daughter of his brother Germanicus, it became lawful for a man to marry the daughter of his brother; but it continued unlawful for a man to marry the daughter of his sister.

* But only when the father had left no legitimate or adopted children or no widow behind him.

office of the tutor was to complete the defective legal personality of the ward. All formal words essential to a legal transaction had to be pronounced by the ward himself, and then the tutor, by his assent, added the *animus*, the intention, of which the child was not capable. The age of puberty had been rashly fixed by the civilians at fourteen; but, as the faculties of the mind ripen more slowly than those of the body, a *curator* was interposed to guard the fortunes of a Roman youth from his own inexperience and headstrong passions. Such a trustee had been first instituted by the prætor to save a family from the blind havoc of a prodigal or madman; and the minor was compelled by the laws to solicit the same protection to give validity to his acts till he accomplished the full period of 25 years. Women were condemned to the perpetual tutelage of parents, husbands, or guardians; a sex created to please and obey was never supposed to have attained the age of reason and experience. Such at least was the stern and haughty spirit of the ancient law, which had been insensibly mollified before the time of Justinian.*

II. OF THINGS. Right of property.

§ 21. II. OF THINGS.—The Roman laws protected all property acquired in a lawful manner. They imposed on those who had invaded it the obligation of making restitution and reparation of all damage caused by that invasion; they punished it, moreover, in many cases, by a pecuniary fine. But they did not always grant a recovery against the third person, who had become *bona fide* possessed of the property. He who had obtained possession of a thing belonging to another, knowing nothing of the prior rights of that person, maintained the possession. The law had expressly determined the cases in which it permitted property to be reclaimed from an innocent possessor. In these cases the original ownership had that character of absolute proprietorship, which was known as *dominium ex jure quiritium*. To possess this right it was not sufficient to have entered into possession of the thing *in any manner;* the acquisition was bound to have that character of publicity which was given by the observation of solemn forms prescribed by the laws, or by the uninterrupted exercise of proprietorship during a certain time: and the Roman citizen alone could acquire this proprietorship. Every other kind of possession, which might be named imperfect proprietorship, was called bonitarian ownership (*in bonis habere*).

It was this publicity which constituted the distinctive character of absolute dominion, and it was grounded on those modes of acquisition, which the moderns have called Civil (*Modi acquirendi Civiles*). These methods were, 1. *Mancipium* or *Mancipatio*, which was the solemn delivery of the thing in the presence of a determinate number of witnesses and with a fixed form of words. 2. *In jure cessio*, which was a solemn delivery before

* As early as Cicero's time this tutelage of women was no longer a reality. See Czyhlarz, *Institutionen*, pp. 241, 277.

the prætor.* 3. *Adjudicatio*, made by a judge, in a case of partition. 4. *Lex*, which comprehended modes of acquiring in particular cases determined by law; such were the purchase by public auction (*sub corona emptio*) and the legacy (*legatum*). 5. *Usucapio*, called by the moderns prescription. This was only a year for moveables; two years for things not moveable. Its primary object was altogether different from that of prescription in the present day. It was originally introduced in order to transform the simple possession of a thing (*in bonis habere*) into Roman proprietorship. The public and uninterrupted possession of a thing, enjoyed for the space of one or two years, was sufficient to make known to the inhabitants of the city of Rome to whom the thing belonged. This last mode of acquisition completed the system of civil acquisitions, by legalising, as it were, every other kind of acquirement which was not conferred, from the commencement, by the *Jus Quiritium*. In the exchange of matters of smaller value, which did not form the staple property of the household, the solemnities of which we speak were not requisite to obtain legal proprietorship. In this case simple delivery (*traditio*) was sufficient.

In proportion to the aggrandizement of the republic, this latter principle became more important from the increase of the commerce and wealth of the state. It was necessary to know what were the things of which absolute property might be acquired by simple delivery, and what, on the contrary, were those, the acquisition of which must be sanctioned by formal solemnities. This demand led to the final establishment of the distinction between *res mancipi* and *res nec mancipi*. *Res mancipi* (by contraction for *mancipii*) were things of which the absolute property (*Jus Quiritium*) might be acquired only by the solemnities mentioned above, most usually by that of mancipation. As for other things, the acquisition of which was not subject to these forms in order to confer absolute right, they were called *res nec mancipi*.†

Inheritance and succession.

§ 22. The personal title of the first proprietor must be determined by his death; but the possession, without any appearance of change, is peaceably continued in his children. The *principle* of hereditary succession is universal; but the *order* has been variously established. The jurisprudence of the Romans appears to have deviated from the equality of nature much less than the Jewish, the Athenian, or the English institutions. On the death of a citizen, all his descendants, unless they were already freed from his paternal power, were

* The *in jure cessio* is best explained as an undefended *vindicatio*, or real action. The acquirer claims the object (*vindicat*), the transferrer yields it up.

† *Res mancipi* were probably the goods on which the primitive Roman was assessed at the *census*, and which made him liable to military service. Such were lands and the slaves and cattle on the lands (see Gaius, *Institutes*, ii. 15). The ownership of such goods had to be certain; hence the necessity for strict formalities.

called to the inheritance of his possessions. The insolent prerogative of primogeniture was unknown; the two sexes were placed on a just level; all the sons and daughters were entitled to an equal portion of the patrimonial estate; and, if any of the sons had been intercepted by a premature death, his person was represented, and his share was divided, by his surviving children. On the failure of the direct line, the right of succession must diverge to the collateral branches. The degrees of kindred are numbered by the civilians, ascending from the last possessor to a common parent, and descending from the common parent to the next heir: my father stands in the first degree, my brother in the second, his children in the third, and the remainder of the series may be conceived by fancy, or pictured in a genealogical table. In this computation a distinction was made, essential to the laws and even the constitution of Rome: the *agnats*, or persons connected by a line of males, were called, as they stood in the nearest degree, to an equal partition; but a female was incapable of transmitting any legal claims; * and the *cognats* of every rank, without excepting the dear relation of a mother and a son, were disinherited by the Twelve Tables, as strangers and aliens. Among the Romans a *gens* or lineage was united by a common *name* and domestic rites; the various *cognomens* or *surnames* of Scipio or Marcellus distinguished from each other the subordinate branches or families of the Cornelian or Claudian race: the default of the *agnats* of the same surname was supplied by the larger denomination of *gentiles*; † and the vigilance of the laws maintained, in the same name, the perpetual descent of religion and property. The rigour of the decemvirs was tempered by the equity of the prætors. Their edicts restored emancipated and posthumous children to the rights of nature; and upon the failure of the *agnats*, they preferred the blood of the *cognats* to the name of the *gentiles*, whose title and character were insensibly covered with oblivion. The reciprocal inheritance of mothers and sons was established in the Tertullian and Orphitian decrees by the humanity of the senate.‡ A new and more impartial order was introduced by the novels of Justinian, who affected to revive the jurisprudence of the Twelve Tables. The lines of masculine and female kindred were confounded: the descending, ascending, and collateral series, was accurately defined; and each degree, according to the proximity of blood and affection, succeeded to the vacant possessions of a Roman citizen.

* *Mulier est finis familiæ*—the reason being that her children belong to another, *i.e.* her husband's, family.

† The *cognati* were blood-relations; the *agnati* those who could trace a descent in the male line to a common ancestor; the *gentiles* those who bore a common family name, and who, therefore, if all the links in the chain of descent could be established, would be found to be *agnati*.

‡ The *Senatus consultum Tertullianum* was of the time of Hadrian; the *S.C. Orphitianum* of the time of Marcus Aurelius. The decrees were named after their movers.

Introduction and liberty of testaments.

§ 23. The order of succession is regulated by nature, or at least by the general and permanent reason of the lawgiver; but this order is frequently violated by the arbitrary and partial *wills*, which prolong the dominion of the testator beyond the grave. In the simple state of society this last use or abuse of the right of property is seldom indulged; it was introduced at Athens by the laws of Solon, and the private testaments of the father of a family are authorised by the Twelve Tables. Before the time of the decemvirs, a Roman citizen exposed his wishes and motives to the assembly of the thirty *curiæ*, and the general law of inheritance was suspended by an occasional act of the legislature. After the permission of the decemvirs, each private lawgiver promulgated his verbal or written testament in the presence of five citizens, who represented the five classes of the Roman people; a sixth witness attested their concurrence; a seventh weighed the copper money, which was paid by an imaginary purchaser, and the estate was emancipated by a fictitious sale and immediate release.* This singular ceremony was still practised in the age of Severus; but the prætors had already approved a more simple testament, for which they required the seals and signatures of seven witnesses, free from all legal exception, and purposely summoned for the execution of that important act. A domestic monarch, who reigned over the lives and fortunes of his children, might distribute their respective shares according to the degrees of their merit or his affection; his arbitrary displeasure chastised an unworthy son by the loss of his inheritance and the mortifying preference of a stranger. But the experience of unnatural parents recommended some limitations of their testamentary powers. A son, or, by the laws of Justinian, even a daughter, could no longer be disinherited by their silence: they were compelled to name the criminal, and to specify the offence; and the justice of the emperor enumerated the sole causes that could justify such a violation of the first principles of nature and society. Unless a legitimate portion, a fourth part, had been reserved for the children, they were entitled to institute an action or complaint of *inofficious* testament;† to suppose that their father's understanding was impaired by sickness or age, and respectfully to appeal from his rigorous sentence to the deliberate wisdom of the magistrate.

Legacies.

§ 24. In the Roman jurisprudence an essential distinction was admitted between the inheritance and the legacies. The heirs who succeeded to the entire unity, or to any of the twelve

* The purchaser of the estate (*familiæ emptor*) was originally an executor of the will who carried out the intentions of the testator on his death. Later he became a mere symbolical personage; the essence of the testament was now the announcement (*nuncupatio*) of the testator.

† The plaint was called *querela inofficiosi testamenti*. It could be raised by relatives other than the children, and the *portio* (usually a fourth) varied from time to time.

fractions of the substance of the testator, represented his civil and religious character, asserted his rights, fulfilled his obligations, and discharged the gifts of friendship or liberality which his last will had bequeathed under the name of legacies. But, as the imprudence or prodigality of a dying man might exhaust the inheritance, and leave only risk and labour to his successor, he was empowered to retain the *Falcidian* portion;* to deduct before the payment of the legacies a clear fourth for his own emolument. A reasonable time was allowed to examine the proportion between the debts and the estate, to decide whether he should accept or refuse the testament. The last will of a citizen might be altered during his life, or rescinded after his death: the persons whom he named might die before him, or reject the inheritance, or be exposed to some legal disqualification. In the contemplation of these events he was permitted to substitute second and third heirs, to replace each other according to the order of the testament; and the incapacity of a madman or an infant to bequeath his property might be supplied by a similar substitution. But the power of the testator expired with the acceptance of the testament: each Roman of mature age and discretion acquired the absolute dominion of his inheritance, and the simplicity of the civil law was never clouded by the long and intricate entails which confine the happiness and freedom of unborn generations.

Codicils and trusts.

§ 25. Conquest and the formalities of law established the use of *codicils*. If a Roman was surprised by death in a remote province of the empire, he addressed a short epistle to his legitimate or testamentary heir, who fulfilled with honour, or neglected with impunity, this last request, which the judges before the age of Augustus were not authorised to enforce. A codicil might be expressed in any mode or in any language, but the subscription of five witnesses must declare that it was the genuine composition of the author. His intention, however laudable, was sometimes illegal, and the invention of *fidei-commissa*, or *trusts*, arose from the struggle between natural justice and positive jurisprudence. A stranger of Greece or Africa might be the friend or benefactor of a childless Roman, but none, except a fellow-citizen, could act as his heir. The Voconian law (B.C. 169) forbade any burgher of the first class† to recognise a woman as his heir; and an only daughter was condemned almost as an alien in her father's house. The zeal of friendship and parental affection suggested a liberal artifice: a qualified citizen was named in the testament, with a prayer or injunction that he would restore the inheritance to the person for whom it was truly intended. Various was the conduct of the trustees in this painful situation; they had sworn to observe the laws of their country, but honour prompted them to violate

* So called from the *lex Falcidia*, a *plebiscitum* of 40 B.C.

† *I.e.* with a property of 100,000 *asses* or over. See Roby, in Smith's *Dictionary of Greek and Roman Antiquities* (3rd ed.), ii. p. 980.

their oath ; and, if they preferred their interest under the mask of patriotism, they forfeited the esteem of every virtuous mind. The declaration of Augustus relieved their doubts, gave a legal sanction to confidential testaments and codicils, and gently unravelled the forms and restraints of the republican jurisprudence. But, as the new practice of trusts degenerated into some abuse, the trustee was enabled, by the Trebellian and Pegasian decrees,* to reserve one-fourth of the estate, or to transfer on the head of the real heir all the debts and actions of the succession. The interpretation of testaments was strict and literal ; but the language of trusts and codicils was delivered from the minute and technical accuracy of the civilians.

III. OF ACTIONS. Promises.

§ 26. III. OF ACTIONS.—The general duties of mankind are imposed by their public and private relations, but their specific *obligations* to each other can only be the effect of, 1, a promise; 2, a benefit; or, 3, an injury; and when these obligations are ratified by law, the interested party may compel the performance by a judicial *action*. On this principle the civilians of every country have erected a similar jurisprudence, the fair conclusion of universal reason and justice.

1. Among the Romans, according to the rigid maxims of the patricians and decemvirs, a *naked pact*, a promise, or even an oath, did not create any civil obligation, unless it was confirmed by the legal form of a *stipulation*. Whatever might be the etymology of the Latin word,† it conveyed the idea of a firm and irrevocable contract, which was always expressed in the mode of a question and answer. Do you promise to pay me one hundred pieces of gold? was the solemn interrogation of Seius. I do promise—was the reply of Sempronius. The most cautious and deliberate consent was justly required to sustain the validity of a gratuitous promise, and the citizen who might have obtained a legal security incurred the suspicion of fraud, and paid the forfeit of his neglect. But the ingenuity of the civilians successfully laboured to convert simple engagements into the form of solemn stipulations. The prætors, as the guardians of social faith, admitted every rational evidence of a voluntary and deliberate act, which in their tribunal produced an equitable obligation, and for which they gave an action and a remedy.

Benefits.

§ 27. 2. The obligations of the second class, as they were contracted by the delivery of a thing, are marked by the civilians with the epithet of real. The Latin language very happily expresses the fundamental difference between the *commodatum* and the *mutuum*, which our poverty is reduced to confound under the vague and common appellation of a loan. In the former, the borrower was obliged to restore the same individual thing with which he had been *accommodated* for the temporary supply of his wants; in the latter, it was destined for his use and consumption, and he discharged this *mutual* engagement

* Of 62 A.D. and 75 A.D. respectively. † See § 6.

by substituting the same specific value according to a just estimation of number, of weight, and of measure. In the contract of *sale*, the absolute dominion is transferred to the purchaser, and he repays the benefit with an adequate sum of gold or silver, the price and universal standard of all earthly possessions. The obligation of another contract, that of *location*, is of a more complicated kind. Lands or houses, labour or talents, may be hired for a definite term; at the expiration of the time, the thing itself must be restored to the owner with an additional reward for the beneficial occupation and employment. In these lucrative contracts, to which may be added those of partnership and commissions,* the civilians sometimes imagine the delivery of the object, and sometimes presume the consent of the parties. The substantial pledge has been refined into the invisible rights of a mortgage or *hypotheca;* and the agreement of sale for a certain price imputes, from that moment, the chances of gain or loss to the account of the purchaser. Usury, the inveterate grievance of the city, had been discouraged by the Twelve Tables, and abolished by the clamours of the people. It was revived by their wants and idleness, tolerated by the discretion of the prætors, and finally determined by the Code of Justinian.† Persons of illustrious rank were confined to the moderate profit of four *per cent.;* six was pronounced to be the ordinary and legal standard of interest; eight was allowed for the convenience of manufacturers and merchants; twelve was granted to nautical insurance, which the wiser ancients had not attempted to define; but, except in this perilous adventure, the practice of exorbitant usury was severely restrained. The most simple interest was condemned by the clergy of the East and West; but the sense of mutual benefit, which had triumphed over the laws of the republic, has resisted with equal firmness the decrees of the church, and even the prejudices of mankind.

§ 28. 3. Nature and society impose the strict obligation of repairing an injury; and the sufferer by private injustice acquires a personal right and a legitimate action. A Roman pursued and recovered his stolen goods by a civil action of theft; they might pass through a succession of pure and innocent hands, but nothing less than a prescription of thirty years could extinguish his original claim. They were restored by the sentence of the prætor, and the injury was compensated by double, or threefold, or even quadruple damages, as the deed had been perpetrated by secret fraud or open rapine, as the robber had been surprised in the fact, or detected by a subsequent research.‡ The rude jurisprudence of the decemvirs had confounded all Injuries.

* *Societas* and *mandatum.*

† IV. 32, 26.

‡ They were quadruple when the *furtum* was *manifestum*, double when it was *nec manifestum.* Threefold damages were awarded in *furtum conceptum*, i.e. the recovery of the stolen goods by the process described in § 6.

hasty insults, which did not amount to the fracture of a limb, by condemning the aggressor to the common penalty of 25 *asses*. But the same denomination of money was reduced, in three centuries, from a pound to the weight of half an ounce; and the insolence of a wealthy Roman indulged himself in the cheap amusement of breaking and satisfying the law of the Twelve Tables. Veratius ran through the streets, striking on the face the inoffensive passengers, and his attendant purse-bearer immediately silenced their clamours by the legal tender of twenty-five pieces of copper, about the value of one shilling. The equity of the prætors examined and estimated the distinct merits of each particular complaint. In the adjudication of civil damages, the magistrate assumed a right to consider the various circumstances of time and place, of age and dignity, which may aggravate the shame and sufferings of the injured person; but, if he admitted the idea of a fine, a punishment, an example, he invaded the province, though perhaps he supplied the defects, of the criminal law.

IV. OF CRIMES AND PUNISHMENTS. Severity of the Twelve Tables: abolition or oblivion of penal laws.

§ 29. IV. OF CRIMES AND PUNISHMENTS.—In the punishment of crimes, the laws of the Twelve Tables, like the statutes of Draco, are written in characters of blood. They approve the inhuman and unequal principle of retaliation; and the forfeit of an eye for an eye, a tooth for a tooth, a limb for a limb, is rigorously exacted, unless the offender can redeem his pardon by a fine of 300 pounds of copper. The decemvirs distributed with much liberality the slighter chastisements of flagellation and servitude; and nine crimes of a very different complexion are adjudged worthy of death.* 1. Any act of *treason* against the state, or of correspondence with the public enemy. The mode of execution was painful and ignominious: the head of the degenerate Roman was shrouded in a veil, his hands were tied behind his back, and, after he had been scourged by the lictor, he was suspended in the midst of the forum on a cross, or inauspicious tree. 2. Nocturnal meetings in the city, whatever might be the pretence—of pleasure, or religion, or the public good. 3. The murder of a citizen; for which the common feelings of mankind demand the blood of the murderer. The parricide, who violated the duties of nature and gratitude, was cast into the river or the sea, enclosed in a sack; and a cock, a viper, a dog, and a monkey, were successively added as the most suitable companions. Italy produces no monkeys; but the want could never be felt till the middle of the sixth century first revealed the guilt of a parricide. 4. The malice of an *incendiary*. After the previous ceremony of whipping, he himself was

* It is possible that the XII. Tables *created* none of these crimes or penalties. The punishment for treason (*perduellio*), *e.g.* goes back to the time of the monarchy, and the penalty for *parricidium* is probably prehistoric. The code itself *imposed* very few capital penalties. See Cicero, *de Republica*, iv. 12, "XII. Tabulæ cum perpaucas res capite sanxissent," etc.

delivered to the flames; and in this example alone our reason is tempted to applaud the justice of retaliation. 5. *Judicial perjury*. The corrupt or malicious witness was thrown headlong from the Tarpeian rock to expiate his falsehood, which was rendered still more fatal by the severity of the penal laws and the deficiency of written evidence. 6. The corruption of a judge, who accepted bribes to pronounce an iniquitous sentence. 7. Libels and satires, whose rude strains sometimes disturbed the peace of an illiterate city. The author was beaten with clubs, a worthy chastisement; but it is not certain that he was left to expire under the blows of the executioner. 8. The nocturnal mischief of damaging or destroying a neighbour's corn. The criminal was suspended as a grateful victim to Ceres. But the sylvan deities were less implacable, and the extirpation of a more valuable tree was compensated by the moderate fine of 25 pounds of copper. 9. Magical incantations; which had power, in the opinion of the Latin shepherds, to exhaust the strength of an enemy, to extinguish his life, and to remove from their seats his deep-rooted plantations. The cruelty of the Twelve Tables against insolvent debtors still remains to be told; and I shall dare to prefer the literal sense of antiquity to the specious refinements of modern criticism. After the judicial proof or confession of the debt, 30 days of grace were allowed before a Roman was delivered into the power of his fellow-citizen. In this private prison 12 ounces of spelt were his daily food; he might be bound with a chain of 15 pounds weight; and his misery was thrice exposed in the market-place, to solicit the compassion of his friends and countrymen. At the expiration of 60 days the debt was discharged by the loss of liberty or life; the insolvent debtor was either put to death or sold in foreign slavery beyond the Tiber: but, if several creditors were alike obstinate and unrelenting, they might legally dismember his body, and satiate their revenge by this horrid partition. The advocates for this savage law have insisted that it must strongly operate in deterring idleness and fraud from contracting debts which they were unable to discharge; but experience would dissipate this salutary terror, by proving that no creditor could be found to exact this unprofitable penalty of life or limb. As the manners of Rome were insensibly polished, the criminal code of the decemvirs was abolished by the humanity of accusers, witnesses, and judges; and impunity became the consequence of immoderate rigour. The Porcian and Valerian laws prohibited the magistrates from inflicting on a free citizen any capital, or even corporal, punishment.

Revival of capital punishments.

§ 30. The first imperfect attempt to restore the proportion of crimes and punishments was made by the dictator Sulla, who, in the midst of his sanguinary triumph, aspired to restrain the licence rather than to oppress the liberty of the Romans. He gloried in the arbitrary proscription of 4700 citizens. But, in the character of a legislator, he respected the prejudices of the

times; and, instead of pronouncing a sentence of death against the robber or assassin, the general who betrayed an army or the magistrate who ruined a province, Sulla was content to aggravate the pecuniary damages by the penalty of exile, or, in more constitutional language, by the interdiction of fire and water.* The Julian laws developed this system of criminal jurisprudence: and the emperors, from Augustus to Justinian, disguised their increasing rigour under the names of the original authors. But the invention and frequent use of *extraordinary pains*† proceeded from the desire to extend and conceal the progress of despotism. In the condemnation of illustrious Romans, the senate was always prepared to confound, at the will of their masters, the judicial and legislative powers. It was the duty of the governors to maintain the peace of their province by the arbitrary and rigid administration of justice; the freedom of the city evaporated in the extent of empire, and the Spanish malefactor who claimed the privilege of a Roman was elevated by the command of Galba on a fairer and more lofty cross. Transportation and beheading were reserved for honourable persons; meaner criminals were either hanged, or burnt, or buried in the mines, or exposed to the wild beasts of the amphitheatre. Armed robbers were pursued and extirpated as the enemies of society; the driving away horses or cattle was made a capital offence; but simple theft was uniformly considered as a mere civil and private injury.‡

A sin, a vice, a crime are the objects of theology, ethics, and jurisprudence. Whenever their judgments agree, they corroborate each other; but, as often as they differ, a prudent legislator appreciates the guilt and punishment according to the measure of social injury. On this principle, the most daring attack on the life and property of a private citizen is judged less atrocious than the crime of treason or rebellion, which invades the *majesty* of the republic: the obsequious civilians unanimously pronounced, that the republic is contained in the person of its chief: and the edge of the Julian law was sharpened by the incessant diligence of the emperors. The licentious commerce of the sexes may be tolerated as an impulse of nature, or forbidden as a source of disorder and corruption; but the fame, the fortunes, the family of the husband are seriously injured by the adultery of the wife. The wisdom of Augustus, after curbing the freedom of revenge, applied to this domestic offence the animadversion of the laws; and the guilty parties, after the

* See Appendix on *Exsilium* and *Aquæ et ignis interdictio.*

† *Pœnæ extraordinariæ*, pronounced by *Judicia extraordinaria.* The *Judicium ordinarium* was a *quæstio* composed of judge and jury, created by law and pronouncing a penalty fixed by statute. All other criminal courts were *extra ordinem.* The senate and the emperor were courts of the latter kind.

‡ In the time of the Republic *Furtum* was only the subject of a civil action; but by the age of the classical jurists a criminal prosecution *extra ordinem* was an alternative to this action.

payment of heavy forfeitures and fines, were condemned to long or perpetual exile in two separate islands. Religion pronounces an equal censure against the infidelity of the husband, but, as it is not accompanied by the same civil effects, the wife was never permitted to vindicate her wrongs; and the distinction of simple or double adultery, so familiar and so important in the canon law, is unknown to the jurisprudence of the Code and Pandects.

Judgments of the people: select judges: assessors.

§ 31. The free citizens of Athens and Rome enjoyed in all criminal cases the invaluable privilege of being tried by their country. 1. The administration of justice is the most ancient office of a prince: it was exercised by the Roman kings and abused by Tarquin, who alone, without law or council, pronounced his arbitrary judgments. The first consuls succeeded to this regal prerogative; but the sacred right of appeal soon abolished the jurisdiction of the magistrates, and all public causes were decided by the supreme tribunal of the people. 2. The task of convening the citizens for the trial of each offender became more difficult, as the citizens and the offenders continually multiplied, and the ready expedient was adopted of delegating the jurisdiction of the people to the ordinary magistrates or to extraordinary inquisitors (*quæsitores*). In the first ages these questions were rare and occasional. In the beginning of the seventh century of Rome they were made perpetual: four prætors were annually empowered to sit in judgment on the state offences of treason, extortion, peculation, and bribery; and Sulla added new prætors and new questions for those crimes which more directly injure the safety of individuals. By these inquisitors (*quæsitores*), the trial was prepared and directed; but they could only pronounce the sentence of the majority of judges (*judices*), who, with some truth and more prejudice, have been compared to the English juries. To discharge this important though burdensome office, an annual list of respectable citizens was formed by the prætor. After many constitutional struggles, they were chosen in equal numbers from the senate, the equestrian order, and the paymasters of the treasury;* 450 were appointed for single questions, and the various rolls or *decuries* of judges must have contained the names of some thousand Romans, who represented the judicial authority of the state. In each particular cause a sufficient number was drawn from the urn; their integrity was guarded by an oath; the mode of ballot secured their independence; the suspicion of partiality was removed by the mutual challenges of the accuser and defendant; and the judges of Milo, by the retrenchment of fifteen on each side, were reduced to fifty-one voices or tablets, of acquittal, of condemnation, or of favourable doubt.† 3. In

* *Tribuni ærarii.* These had once been officials; but in 70 B.C. (the date of this change) the name probably denoted some class in the *census.* The qualification for the *equites* was probably 400,000 sesterces.

† The last is the verdict of *non liquet*, the "not proven" of the Scotch courts.

his civil jurisdiction the prætor of the city was truly a judge, and almost a legislator; but, as soon as he had prescribed the action of law, he often referred to a delegate the determination of the fact. With the increase of legal proceedings, the tribunal of the centumvirs,* in which he presided, acquired more weight and reputation. But whether he acted alone or with the advice of his council, the most absolute powers might be trusted to a magistrate who was annually chosen by the votes of the people. The rules and precautions of freedom have required some explanation; the order of despotism is simple and inanimate. Before the age of Justinian, or perhaps of Diocletian, the decuries of Roman judges had sunk to an empty title; the humble advice of the assessors might be accepted or despised; and in each tribunal the civil and criminal jurisdiction was administered by a single magistrate, who was raised and disgraced by the will of the emperor.†

Voluntary exile and death.

§ 32. A Roman accused of any capital crime might prevent the sentence of the law by voluntary exile or death.‡ Till his guilt had been legally proved, his innocence was presumed and his person was free; till the votes of the last *century* had been counted and declared, he might peaceably secede to any of the allied cities of Italy, or Greece, or Asia. His fame and fortunes were preserved, at least to his children, by this civil death; and he might still be happy in every rational and sensual enjoyment, if a mind accustomed to the ambitious tumult of Rome could support the uniformity and silence of Rhodes or Athens. A bolder effort was required to escape from the tyranny of the Cæsars; but this effort was rendered familiar by the maxims of the Stoics, the example of the bravest Romans, and the legal encouragements of suicide. The bodies of condemned criminals were exposed to public ignominy, and their children, a more serious evil, were reduced to poverty by the confiscation of their fortunes. But, if the victims of Tiberius and Nero anticipated the decree of the prince or senate, their courage and despatch were recompensed by the applause of the public, the decent honours of burial, and the validity of their testaments. The exquisite avarice and cruelty of Domitian appears to have deprived the unfortunate of this last consolation, and it was still denied even by the clemency of the Antonines. A voluntary death, which in the case of a capital offence, intervened between the accusation and the sentence, was admitted as a confession of guilt, and the spoils of the deceased were seized by the inhuman claims of the treasury.

* *Centumviri*, or "hundred men," really 105; they were chosen from the 35 tribes, 3 from each.

† As a judicial magistrate the provincial governor was now called *Judex*. This was a third meaning given to the word. Originally it had denoted: (1) the consuls and, afterwards, prætors who tried the question of law; (2) the juror who tried the question of fact.

‡ See Appendix.

[The modern literature of Roman Law is so enormous that only a very few of the leading text-books can be mentioned here: (i.) *Histories.* Muirhead, *Historical Introduction to the Private Law of Rome;* Rudorff, *Römische Rechtsgeschichte;* Ortolan, *History of Roman Law.* On the legislation of Justinian, Roby, *Introduction to the Study of Justinian's Digest.* (ii.) *Institutes.* Sohm, *Institutes of Roman Law;* Czyhlarz, *Lehrbuch der Institutionen des römischen Rechtes.* (iii.) *Civil Procedure.* Bethmann-Hollweg, *Römische Civilprozess;* Keller, *Römische Civilprocess.* (iv.) *Criminal Law.* Rein, *Criminalrecht der Römer;* Geib, *Geschichte des römischen Criminalprozesses;* Zumpt, *Criminalrecht der römischen Republik;* Laboulaye, *Essai sur les lois criminelles des Romains concernant la responsabilité des magistrats.* (v.) *Sources and Documents.* Kipp, *Quellenkunde des römischen Rechts;* Bruns, *Fontes Juris Romani Antiqui.* Articles on all important subjects connected with Roman Law will be found in Smith's *Dictionary of Greek and Roman Antiquities* (3rd edition).]

Medallion of Justinian.*

* The obverse of this medallion, which is figured on p. 372, represents the head of Justinian, with the legend DN IVSTINIANVS PP (*i.e.* perpetuus) AUG: he wears a richly adorned helmet, behind which is the nimbus, and he holds in his right hand a spear. On the reverse the emperor is riding on a horse, adorned with pearls; the helmet, the spear, and the dress correspond to the representation on the obverse: before him walks Victory, carrying in her left hand a trophy; by the side of Justinian's head a star appears. The legend is SALVS ET GLORIA ROMANORVM. The letters CONOB below should be separated into CON and OB, the former signifying Constantinople, and the latter representing the Greek numerals 72, since 72 aurei or solidi were coined out of a pound of gold. See Pinder and Friedländer, *Die Münzen Justinians,* p. 10. This medallion no longer exists, having been stolen from the Bibliothèque Nationale in 1831 and melted down. As it was unique, the illustration in the text depends on an eighteenth-century engraving. It has lately been discussed by Babelon (*Histoire d'un Médaillon disparu: Justinien et Bélisaire* in Mémoires de la Société nationale des Antiquaires de France, tome LVII.).

# APPENDIX.

NOTE TO § 32.—"*Exsilium* AND *Aquæ et ignis interdictio.*"

The conception of exile (*exsilium*) was based on two ideas, common more or less to the Græco-Italian world; these were: (i.) that no man possessed legal rights other than those of the *civitas* to which he belonged; and (ii.) that it was impossible to be a full citizen of two different *civitates* at the same time. Thus a Roman who abandoned Rome and got himself enrolled on the registers of another city was an *exsul* from Rome; a man from another city who, under similar conditions, entered the body-politic of Rome, was an *exsul* from his native state. From the earliest period of Roman history there existed between Rome and other cities definite international relations which contemplated the possibility of this kind of mutual migration and exile. Towns with such treaties were, in Italy, Tibur, Præneste, and Neapolis; in the provinces, Massilia, Patræ, and many others.

This international relation was early employed as a means of modifying the rigorous consequences of the criminal law. The Romans early developed a strong objection to executing the capital penalties enjoined by their own criminal code. To avoid this painful necessity a means was found which did not entail danger on the state. This means was *exsilium*. When a criminal was put on his trial on a capital charge, he was, as a rule, neither arrested nor imprisoned. He remained at large, and before the trial, if he took a hopeless view of his case, or just before the verdict, if his expectations were disappointed, left the city, journeyed to one of the federate states, and became a citizen of that community. The verdict was pronounced, but it now was null and void; no Roman assembly could condemn the citizen of another state.

But the community of Rome had to secure some guarantee that the condemned man did not employ his right of exile a second time, and return to the city from which he was a voluntary refugee. The guarantee was provided by a survival of that old religious custom of excommunication, by which a man had been cut off "from the fire and water" of his tribe. Each year a formal bill of outlawry (*aquæ et ignis interdictio*) was passed, by which those members of the state who had sought voluntary banishment for the purpose of avoiding trial or condemnation by the criminal courts, were for ever cut off from the community. If they returned the law offered them no protection; they were "accursed" (*sacri*), and might be slain by any one with impunity.

Thus *exsilium* is in origin a voluntary escape from condemnation; *aquæ et ignis interdictio* is a means of preventing such a voluntary exile's return.

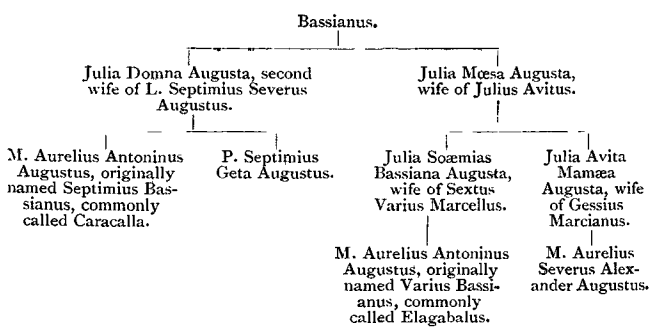
But with the new turn taken by criminal jurisprudence in the last century of the Republic we notice a change in one of these conceptions. Exile remains, as before, a voluntary act: it is not a punishment, but an escape from punishment (Cicero, *pro Cæcina*, 34, 100; "exsilium enim non supplicium est, sed perfugium portusque supplicii"), but the character of *aquæ et ignis interdictio* has altered. It is no longer a merely precautionary measure, but in itself a penalty. The laws enacting criminal *quæstiones* passed by Sulla and his successors, where they enjoined a capital and not merely a pecuniary penalty, avoided like the earlier procedure the infliction of death, and made the punishment assume the convenient form which preserved the life of the malefactor, but rid the state of his presence. We are ill informed of the procedure of these tribunals, but probably the sentence, pronounced by the judge on the finding of the jury, ran, "Lucio Titio (presuming that to have been the name of the criminal) aqua et

igni interdictum est." Voluntary exile on the part of the condemned was the inevitable consequence of such a verdict, for the life of such an outlaw was at every moment in peril at Rome; hence we find victims of the courts like Milo seeking the shelter of allied towns such as Massilia. The only difference between this and the earlier *exsilium* was, that now it is sought after and not before the sentence; a brief breathing-space must have been allowed between the finding of the judgment of the court and its operation.

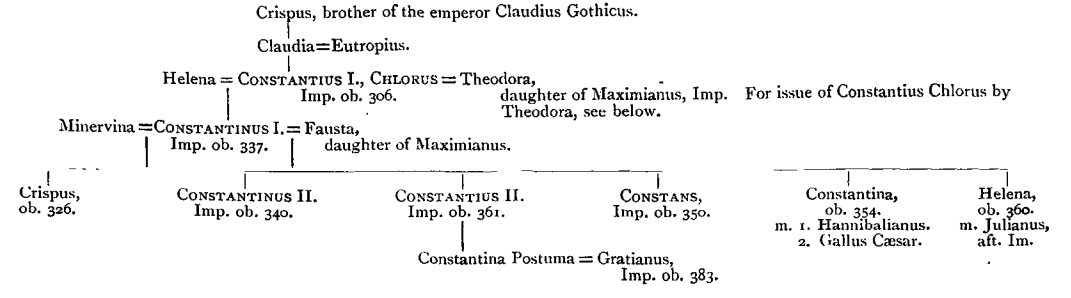
Yet another stage can be traced in the history of this conception. The language of historians and jurists leaves us in no doubt that by the end of the first, and in the second and third centuries of the empire, *exsilium* and *aquæ et ignis interdictio* have become one conception, and that the two phrases are used interchangeably. This was a consequence of the extraordinary jurisdiction of the senate, which legislated while it judged and, by this legislative jurisdiction, made *exsilium* a formal penalty. Yet for a time it still struggled to retain its older character of an escape from punishment; Valerius Licinianus went into voluntary exile to escape the pontifical animadversion of Domitian (Pliny, *Epistulæ*, iv. 11, 12).

# GENEALOGICAL TABLES.

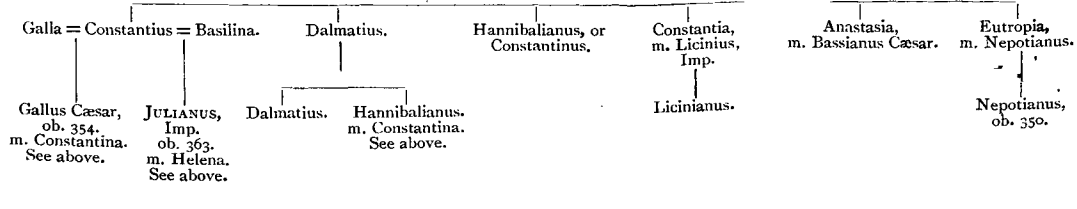
## I.—The House of Emesa.


Bassianus.
Julia Domna Augusta, second wife of L. Septimius Severus Augustus.
Julia Mœsa Augusta, wife of Julius Avitus.
M. Aurelius Antoninus Augustus, originally named Septimius Bassianus, commonly called Caracalla.
P. Septimius Geta Augustus.
Julia Soæmias Bassiana Augusta, wife of Sextus Varius Marcellus.
Julia Avita Mamæa Augusta, wife of Gessius Marcianus.
M. Aurelius Antoninus Augustus, originally named Varius Bassianus, commonly called Elagabalus.
M. Aurelius Severus Alexander Augustus.

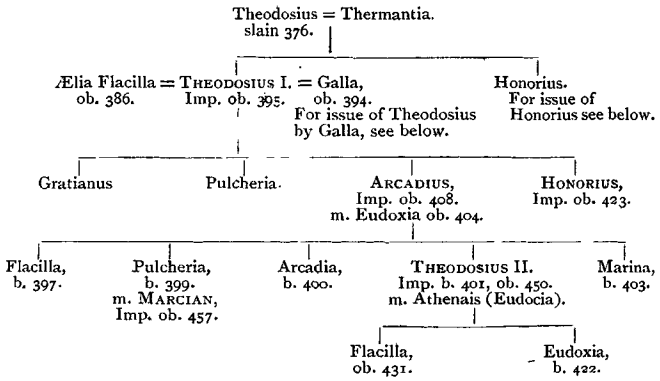
## II.—Family of Constantine.


Crispus, brother of the emperor Claudius Gothicus.
Claudia=Eutropius.
Helena = CONSTANTIUS I., CHLORUS = Theodora,
Imp. ob. 306.
daughter of Maximianus, Imp.
Theodora, see below.
For issue of Constantius Chlorus by
Minervina =CONSTANTINUS I. = Fausta,
Imp. ob. 337.
daughter of Maximianus.
Crispus, ob. 326.
CONSTANTINUS II. Imp. ob. 340.
CONSTANTIUS II. Imp. ob. 361.
CONSTANS, Imp. ob. 350.
Constantina Postuma = Gratianus, Imp. ob. 383.
Constantina, ob. 354. m. 1. Hannibalianus. 2. Gallus Cæsar.
Helena, ob. 360. m. Julianus, aft. Im.

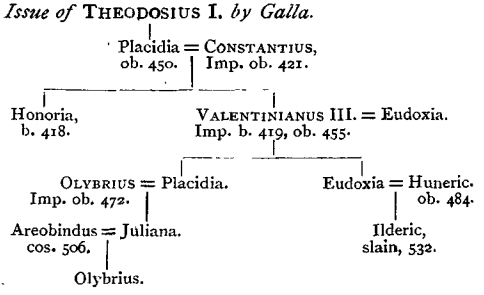
### Issue of CONSTANTIUS I. (CHLORUS) by Theodora.



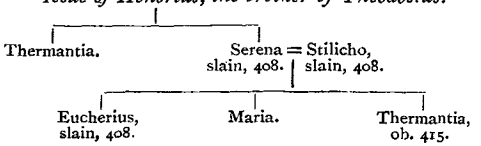
## III.—Family of Theodosius.


Theodosius = Thermantia.
slain 376.
Ælia Flacilla = Theodosius I. = Galla,
ob. 386. Imp. ob. 395. ob. 394.
For issue of Theodosius by Galla, see below.
Honorius.
For issue of Honorius see below.
Gratianus
Pulcheria.
Arcadius, Imp. ob. 408. m. Eudoxia ob. 404.
Honorius, Imp. ob. 423.
Flacilla, b. 397.
Pulcheria, b. 399. m. Marcian, Imp. ob. 457.
Arcadia, b. 400.
Theodosius II. Imp. b. 401, ob. 450. m. Athenais (Eudocia).
Marina, b. 403.
Flacilla, ob. 431.
Eudoxia, b. 422.

*Issue of* Theodosius I. *by Galla.*


Placidia = Constantius, ob. 450. Imp. ob. 421.
Honoria, b. 418.
Valentinianus III. = Eudoxia. Imp. b. 419, ob. 455.
Olybrius = Placidia. Imp. ob. 472.
Eudoxia = Huneric. ob. 484.
Areobindus = Juliana. cos. 506.
Ilderic, slain, 532.
Olybrius.

*Issue of Honorius, the brother of Theodosius.*



# LIST OF THE ROMAN EMPERORS.

| | Reigned | A.D. | A.D. |
|---|---|---|---|
| Augustus | | | 14 |
| Tiberius | 23 yrs. | 14— | 37 |
| Caligula | 4 | 37— | 41 |
| Claudius | 13 | 41— | 54 |
| Nero | 14 | 54— | 68 |
| Galba | | 68— | 69 |
| Otho | | 69— | 69 |
| Vitellius | | 69— | 69 |
| Vespasian | 10 | 69— | 79 |
| Titus | 2 | 79— | 81 |
| Domitian | 15 | 81— | 96 |
| Nerva | 2 | 96— | 98 |
| Trajan | 19 | 98— | 117 |
| Hadrian | 21 | 117— | 138 |
| Antoninus Pius | 23 | 138— | 161 |
| M. Aurelius | 19 | 161— | 180 |
| L. Verus | 8 | 161— | 169 |
| Commodus | 13 | 180— | 193 |
| Pertinax | | 193— | 193 |
| Julianus | | 193— | 193 |
| Septimius Severus | 18 | 193— | 211 |
| Caracalla | 6 | 211— | 217 |
| Geta | 1 | 211— | 212 |
| Macrinus | 1 | 217— | 218 |
| Elagabalus | 4 | 218— | 222 |
| Severus Alexander | 13 | 222— | 235 |
| Maximinus | 3 | 235— | 238 |
| Gordianus I. & Gordianus II. | | 238— | 238 |
| Pupienus Maximus & Caelius Balbinus | | 238— | 238 |
| Gordianus III. | 6 | 238— | 244 |
| Phillippus | 5 | 244— | 249 |
| Decius | 2 | 249— | 251 |
| Trebonianus Gallus | 2 | 251— | 253 |
| Aemilianus | | 253— | 253 |
| Valerian | 7 | 253— | 260 |
| Gallienus | 15 | 253— | 268 |
| Claudius II. | 2 | 268— | 270 |
| Aurelian | 5 | 270— | 275 |
| Tacitus | 1 | 275— | 276 |
| Florianus | | 276— | 276 |
| Probus | 6 | 276— | 282 |
| Carus | 1 | 282— | 283 |
| Carinus | 2 | 283— | 285 |
| Numerianus | 1 | 283— | 284 |
| Diocletian | 20 | 285— | 305 |
| Maximian | 19 | 286— | 305 |

| | Reigned | A.D. | A.D. |
|---|---|---|---|
| Constantius Chlorus. | 1 yr. | 305— | 306 |
| Galerius | 6 | 305— | 311 |
| Constantine I. the Great | 31 | 306— | 337 |
| Licinius | 16 | 307— | 323 |
| Constantine II. | 3 | 337— | 340 |
| Constantius II. | 24 | 337— | 361 |
| Constans I. | 13 | 337— | 350 |
| Julian | 2 | 361— | 363 |
| Jovian | 1 | 363— | 364 |

## WESTERN EMPIRE.

| | | | |
|---|---|---|---|
| Valentinian I. | 11 | 364— | 375 |
| Gratian | 16 | 367— | 383 |
| Valentinian II. | 17 | 375— | 392 |
| Theodosius I. (Emperor of the West as well as of the East.) | 3 | 392— | 395 |
| Honorius | 28 | 395— | 423 |
| Theodosius II. (Emperor of the West as well as of the East.) | 2 | 423— | 425 |
| Valentinian III. | 30 | 425— | 455 |
| Petronius Maximus | | 455— | 455 |
| Avitus | 1 | 455— | 456 |
| Majorian | 4 | 457— | 461 |
| Libius Severus | 4 | 461— | 465 |
| Anthemius | 5 | 467— | 472 |
| Olybrius | | 472— | 472 |
| Glycerius | | 473— | 474 |
| Julius Nepos | | 474— | 475 |
| Romulus Augustulus | | 475— | 476 |

## EASTERN EMPIRE.

| | | | |
|---|---|---|---|
| Valens | 14 | 364— | 378 |
| Theodosius I. | 16 | 378— | 395 |
| Arcadius | 13 | 395— | 408 |
| Theodosius II. | 42 | 408— | 450 |
| Marcian | 7 | 450— | 457 |
| Leo I. Thrax | 17 | 457— | 474 |
| Leo II. | | 474— | 474 |
| Zeno | 17 | 474— | 491 |
| Anastasius I. | 27 | 491— | 518 |
| Justin I. | 9 | 518— | 527 |
| Justinian I. | 39 | 527— | 565 |

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